



**CITY OF SAN ANTONIO  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

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**South San Antonio Limited Purpose  
Annexation Report for Areas 1 - 4**

**Planning Study  
&  
Regulatory Plan**

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## A. **BACKGROUND**

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The City of San Antonio Department of Planning and Community Development (City) has prepared this report for the limited purpose annexation of four unincorporated areas generally located within the southern part of the City of San Antonio's Extraterritorial Jurisdiction (ETJ) and Bexar County. This report contains:

- Background information including area descriptions and information related to the City South Management Authority (CSMA)
- A Planning Study, as required in Section 43.123 (c) of the Texas Local Government Code (LGC), for each area; and
- A Regulatory Plan, as required in Section 43.123 (d) of the Texas Local Government Code (LGC), for each area.

### *Area Descriptions*

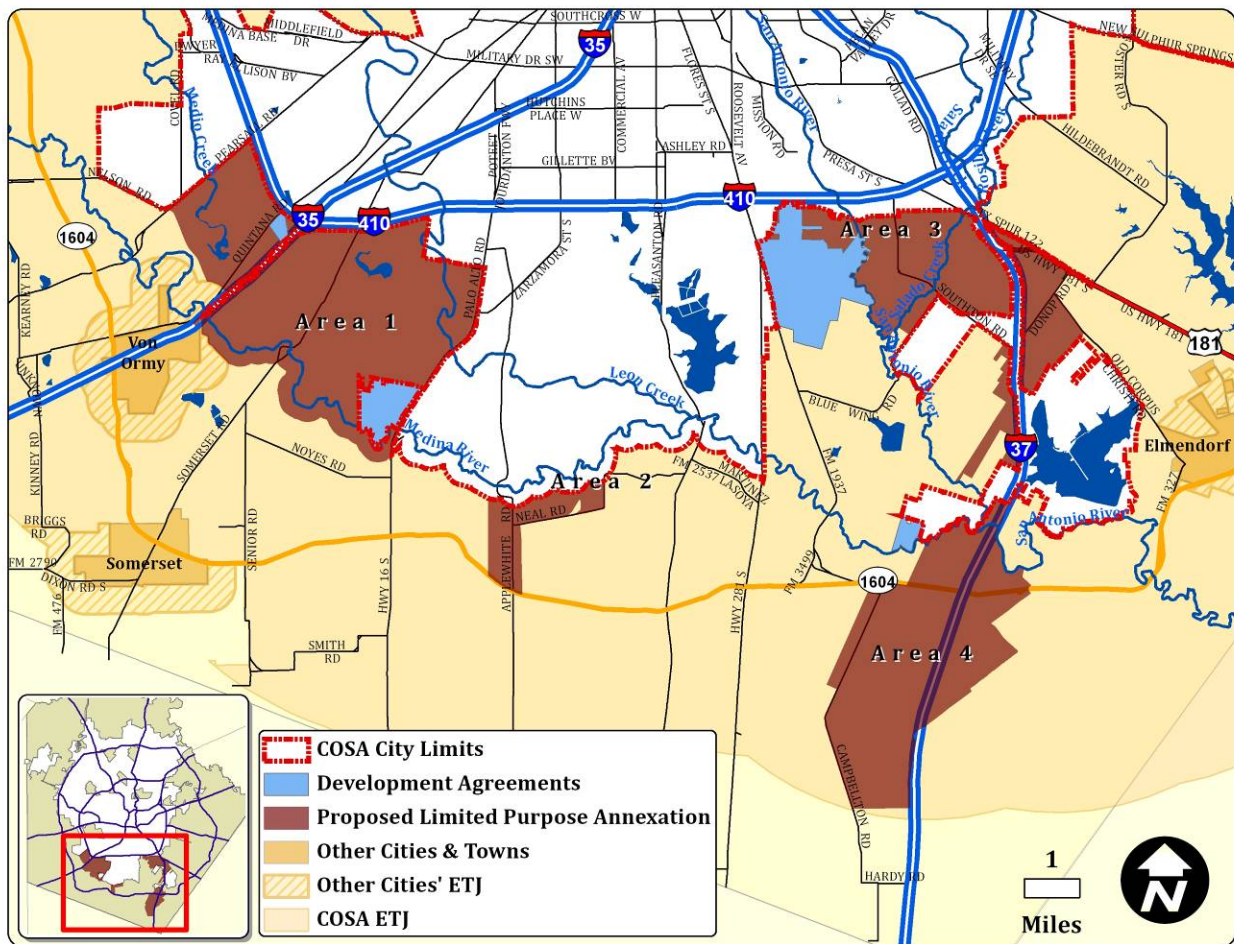
The four annexation study areas are structured around the economic development nodes identified in the City South Management Authority (CSMA) Effectiveness Study.<sup>1</sup> The Effectiveness Study recommended these general areas as having the most potential for growth and where development would most likely have the greatest potential for success and contribute to the economic development of the City. Each geographic node was labeled according to the most prevalent and marketable industry type located, or developing, within its boundary. Below are the descriptions of the annexation areas according to the economic development nodes:

- *Area 1* encompassed the "Warehousing, Logistics, and Distribution Node," which is centered on the Union Pacific Intermodal Facility and related surrounding activities. This study area is located to the west of IH-35.
- *Area 2* was identified as the "Natural Node," which focuses on the Land Heritage Institute and the Medina River.
- *Area 3* contains a solar farm and is identified as an emerging "Energy Node." Also included in this node is a portion of the "Commercial/Retail Node," which is located along Loop 410 and IH-37.
- *Area 4* includes Eagle/Ford Shale-related companies and their suppliers, is identified as an extension of the "Energy Node". This area is the southern-most study area and is located along IH-37.

The four areas are generally situated south of Loop 410, between Old Pearsall Road and State Highway 181. In total, the areas are comprised of approximately 36 square miles or 22,648 acres. While the 4 study areas are proposed for Limited Purpose Annexation, each could be considered independently.

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<sup>1</sup> Effective Study & Economic Strategic Plan for the City South Management Authority, Fall 2012



**Map 1: Study Area Overview**

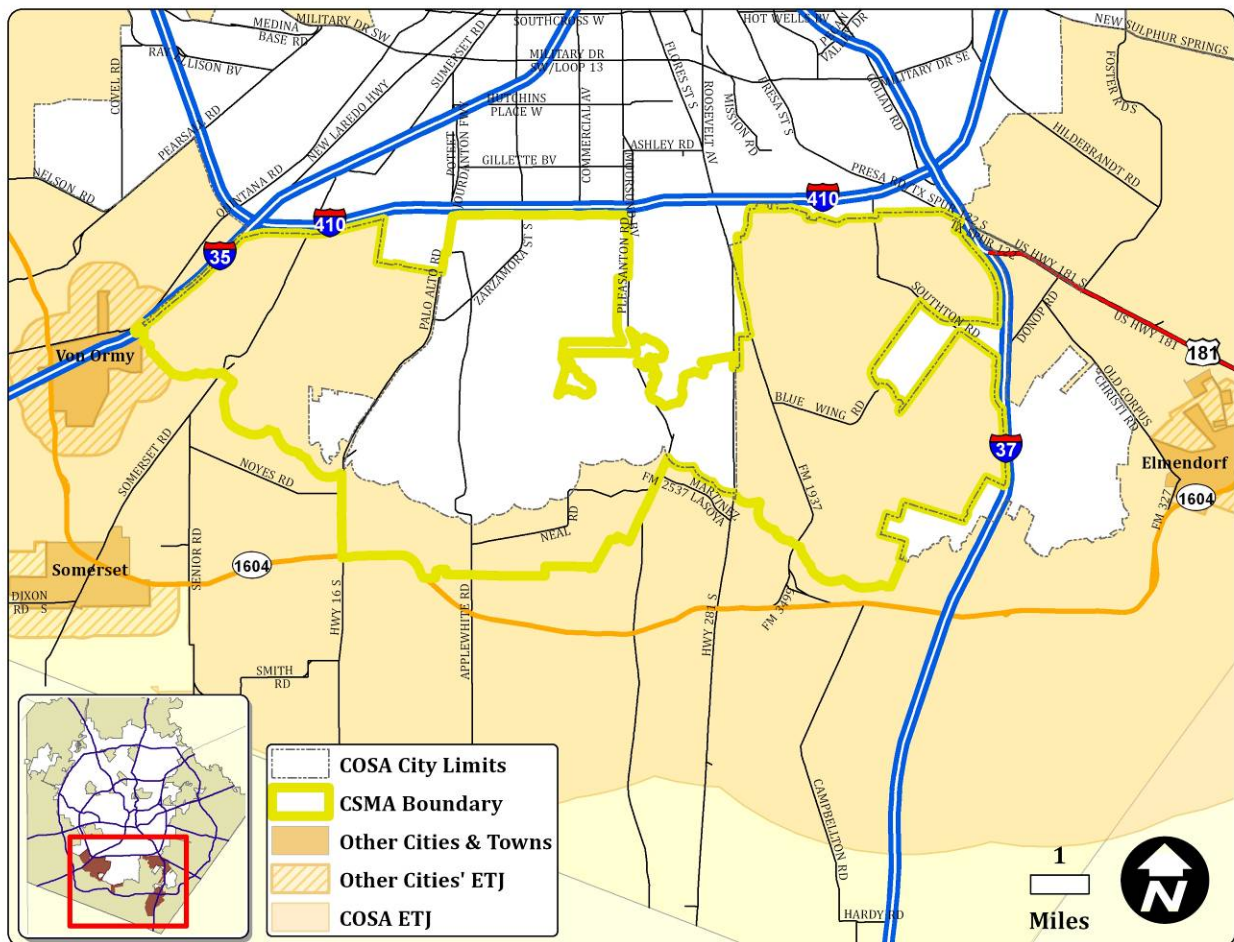
**Table 1: Study Area Summary**

Area	Square Miles	Acres	Residential Units	Commercial Parcels	Industrial Parcels	Vacant Parcels	2010 Population	2023 Population (Projected)
<b>1</b>	15	9,872	252	50	5	74	723	6,087
<b>2</b>	2	987	12	2	0	11	47	44
<b>3</b>	8	5,058	481	58	5	145	1,301	2,894
<b>4</b>	11	6,731	495	32	4	230	1,233	1,455
<b>Total</b>	<b>36</b>	<b>22,648</b>	<b>1,240</b>	<b>142</b>	<b>14</b>	<b>460</b>	<b>3,304</b>	<b>10,480</b>

According to the 2010 Census, the population for all areas is 3,304 residents. In the next 13 years, if the rate of growth remains constant, the population is expected to increase to 10,480 residents. Infrastructure improvements, such as the San Antonio Water System's new sewer outfall and new Southwest Independent School District schools, may increase the population of Area 1 to approximately 6,087. A summary of each study area is provided in Table 1 (above).

### ***City South Management Authority (CSMA)***

The CSMA is a duly constituted political subdivision of the State of Texas, the Defense Adjustment and a Management Authority. CSMA, as it is currently constituted, consists of an approximate sixty-three (63) square mile area bounded by Loop 410 to the north, IH-37 on the east, IH-35 on the west and generally a line 1,350 feet south of the Medina River, and extending in part to Loop 1604 to the south. This area is partly located within the City of San Antonio limits and within unincorporated areas of Bexar County. Presently, three of the proposed areas (Areas 1, 2, and 3) include unincorporated portions of land that are located within the CSMA area.



CSMA's purpose is to protect the area's environmental and historical character while promoting sustainable economic development. As a governmental authority, it encourages compatible land use patterns through its zoning authority. Through an Inter-local Agreement between CSMA and the City, CSMA adopted San Antonio's Unified Development Code, and provides recommendations to City Council on plan amendments inside and outside the City limits and zoning cases for properties in the City limits. CSMA has final zoning authority for properties outside the City limits within its jurisdiction.

*Effectiveness Study* – On September 1, 2011, Senate Bill 1493 became effective and required the Board of a Defense Adjustment Management Authority to study the effectiveness of the CSMA. Accordingly, the City, on behalf of CSMA, contracted with a third-party contractor, TXP Inc., to conduct a thorough assessment of the authority's effectiveness in accomplishing its mission. TXP was further asked to draft an economic development strategy for the City South area. In December 2012, the City accepted the findings of the study and submitted it to the Texas Legislature.

The Effectiveness Study recommended one of three options that should be considered in order to address challenges in accomplishing the mission of CSMA. The San Antonio City Council chose "Option 2," which consisted of the phase out of CSMA in coordination with the adoption and implementation of the City's revised annexation and land use control policies. The City Council directed implementation of this option. Limited purpose annexation will enable the City to transition land use regulation and zoning in former CSMA areas to the City and extend its authority within non-CSMA areas in order to capitalize on economic development opportunities occurring in the Southside.



## B. PLANNING STUDIES

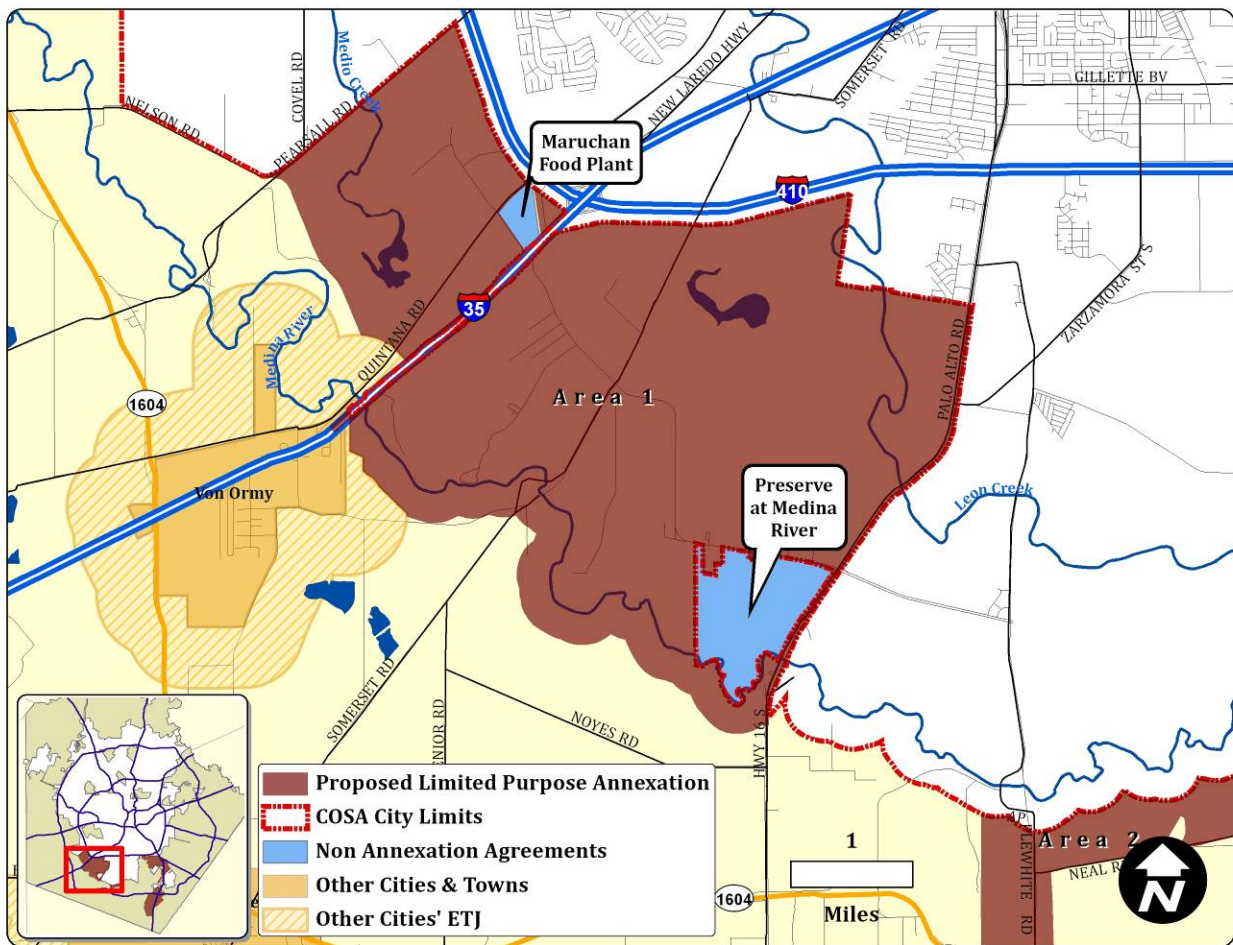
This section outlines the planning study for each of the areas proposed for limited purpose annexation prepared in accordance with Section 43.123 (c) of the Local Government Code. The planning study provides:

- Projected 10-year development with and without limited purpose annexation
- Issues supporting limited-purpose annexation
- Economic, environmental and other impacts of the limited purpose annexation
- Proposed zoning for the area

### Area 1

#### Area Description

Area 1 is generally bounded by Southwest Loop 410 and the existing City Limits to the north; Old Pearsall Road to the west; State Highway 16 (Poteet-Jourdanton Highway) to the east; and 1,350 feet south from the centerline of the Medina River to the south, which abuts Von Ormy's ETJ. Interstate 35 South bisects the area. The area is comprised of approximately 15 square miles or 9,872 acres.



Map 3: Area 1 Detail

The 2010 population for this area was approximately 723 residents. In 2023, based on a constant rate of change, the area's population is projected to decline to 578 residents based on 2000 - 2010 rates. However, the area has experienced growth in commercial truck traffic and rail cargo related to activities from the Union Pacific Intermodal Facility and Toyota Manufacturing Plant.

### **Projected Ten-Year Development with and without Limited Purpose Annexation**

This section includes projections regarding the kinds and levels of development that will occur in the area in the next 10 years if the areas are annexed for limited purposes, as well if the areas are not annexed for limited purposes.

#### *Existing Development*

The area to the east of IH-35 is comprised of low density residential, agriculture, or undeveloped lands. Floodplains along with small lakes, river and creeks also traverse significant amount of the area. Most of the floodplain traverses undeveloped land. Most of the commercial development has occurred along the IH-35 and Loop 410 corridors. Industrial development has occurred to the west of IH-35 South.

There are a few Master Development Plans (MDPs) located within the area. Most of these are commercial and industrial developments, which have been platted and built-out. This area has experienced a great amount of industrial development resulting from the Eagle Ford Shale.

The area located to the west of IH-35 along Loop 410 includes other commercial developments. The North Park Toyota auto dealership is located on 54 acres south of the intersection of Southwest Loop 410 at I-35 South. Traders Village San Antonio, a 29-acre flea market, is located southwest of the intersection of Loop 410 at Old Pearsall Road.

Several oil and gas related companies are situated within the Freeport Business Center adjacent to Union Pacific Railroad (UPRR) Intermodal Terminal. Both are located to the west of IH-35 South along Fisher Road. The Freeport Business Center is a 500-acre, industrial park that encompasses distribution, warehouse and manufacturing spaces. Within the business park, there is a designated 225-acre Foreign Trade Zone.<sup>2</sup> The 300-acre UPRR Intermodal terminal is connected to several railroad lines including the Laredo line. Major clients include CPS Energy, Toyota Motor Manufacturing, Vulcan Materials and other oil and gas related industries. UPRR has a major presence in San Antonio employing approximately 1,000 people.

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<sup>2</sup> A Foreign-Trade Zone (FTZ) is a designated location where companies are allowed delayed or reduced duty payments on foreign merchandise, as well as other savings. Imported and exported goods are not subject to customs entries, duty payments or property taxes while being handled including assembly, warehousing, testing, repair, manufacturing, repackaging, salvaging and labeling within the FTZ.



*Speedway Business Park*, located a few miles west of Toyota on 100 acres, opened in May 2008. It is developing into a commercial, office and warehouse and distribution site. W.W. Rowland Trucking moved its operation for better access to the existing roadway network.

*Development Agreements* – Area 1 includes two special districts with development agreements (non-annexation agreements) which are not included in the annexation program.

The *Preserve at the Medina* (formerly the Crosswinds at Southlake) Public Improvement District (PID)<sup>3</sup> is situated on 532.6 acres, a few miles west of the Toyota manufacturing plant, at the southwest intersection of Highway 16 and Watson Road. The PID proposal consisted of a mixed use project with 73 acres of commercial use and 1,058 dwelling units. In 2006, the City and the property owners entered into an agreement for limited purpose annexation and fixed the full-purpose annexation date to December 30, 2035. In 2011, an amendment to the agreement re-scheduled full-purpose annexation to either 30 years from the date of the first building permit application or 30 years after January 1, 2014 until December 31, 2044. As part of the City's consent to the non-annexation agreement, the property owner agreed to comply with certain City development terms including municipal regulations, land use plan, and City and building permits, and a donation of 2.5 acres for a City facility (or equivalent amount to purchase).

Maruchan, Inc. established a 60 acre food manufacturing facility at the Medio Creek Business Park located west of IH-35 and Fischer Road. In June 2012, the City designated the Maruchan property as an Industrial District and approved a five-year non-annexation agreement, a basic fire services agreement. At the end of the non-annexation agreement Maruchan will have invested approximately \$175 million and created up to 280 jobs.

#### *New Development*

It is projected that in 10 years this study area, if developed to the same level as existing development throughout the City of San Antonio, has the potential for 2,560,851 square feet of commercial development, 242,352 square feet of industrial development, 657 multi-family dwelling units, and 1,597 single-family dwelling units.<sup>4</sup>

SAWS's Southwest Bexar Sewer Pipeline (The Medina River Sewer Outfall) – SAWS is constructing a new 26 mile sewer main ranging from 66 to 96 inches in diameter in the western and southern part of Bexar County. This main generally follows the Medina River from south of the intersection of Highway 90 West and Loop 1604 to the Dos Rio Plant. The entire project is expected to be completed by the fall of 2013. This project will eliminate numerous outfalls and lift stations in the Far West and South sewer shed, and prevent the proliferation of package treatment plants in the South sewer shed. The total

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<sup>3</sup> PID is an economic development tool to help finance public infrastructure projects, or supplement existing City services, and projects not limited to improving and maintaining streets, water and sewer infrastructure. PIDs have taxing authority to finance necessary improvements and may levy property, sales and other taxes and issue bonds.

<sup>4</sup> This projection is the product of a methodology based on the assumption that development in new areas of the city will be roughly the same as existing development throughout the entire city and that households in study area will be approximately the same size as the countywide average of 2.7 persons per household.

cost of the project is \$124 million, with approximately \$70 million of investment in City South. It should be pointed out that the majority of properties within the southern area rely on septic systems and its property owners will need to extend offsite mains to connect to the new sewer main.

A new Southwest Independent School District (SWISD) multi-school campus, housing approximately 1,200 middle school and 2,500 high school students, will be located northeast of the intersection of Somerset Road and Watson Road, within Area 1. This new campus is centrally located to accommodate future students from the potential housing developments<sup>5</sup>, adjacent to Texas A&M University, and address student population over-growth from new subdivisions<sup>6</sup> built in the western part of the school district. However, all of the housing developments are located outside of Area 1's boundaries. Also there is anticipation that the Eagle Ford Shale industry may prompt student population growth within the district. School officials indicate that their long term forecasts anticipated that development most likely will occur a few years after school construction is completed.

### **Issues Supporting Limited Purpose Annexation**

This section describes the issues the City considers to give rise to the need for the annexation of the area for limited purposes and the public benefits to result from the limited-purpose annexation.

#### *Public Benefit from Limited Purpose Annexation*

Limited purpose annexation allows for the immediate application of land use controls and other City regulations. It provides the tools to regulate the type and character of development and redevelopment through the application of zoning, site development standards, building codes and other regulatory tools not available in unincorporated areas. Regulations for nonconforming uses will provide for the gradual elimination of existing incompatible uses. This will benefit the public by creating planned, high quality and sustainable development that will create a long term investment for the community.

After an area is annexed for limited purposes, the City will begin planning for the delivery of City services in preparation for full purpose annexation within three years. The three-year period will give the City the time necessary to plan for needed capital improvements in advance of future development within the areas. Property owners in the area will have three years to plan for the financial impact of full purpose annexation.

### **Economic, Environmental and Other Impacts of the Limited Purpose Annexation**

This section analyzes the economic, environmental, and other impacts the annexation of the area for limited purposes will have on the residents, landowners, and businesses in the area.

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<sup>5</sup> To this date, none of the planned development adjacent to Texas A&M University has started.

<sup>6</sup> According to the SWISD 2012 bond website, most of new student population comes from the Carmona Hills, Solana Ridge, Hillcrest, Wolf Creek, Amber Creek, Luckey Ranch, and Hunters Pond Subdivisions.

### *Economic Development*

Increased oil and gas activities are expected to induce industrial development and redevelopment activities within the study areas. Furthermore, the application of development standards, building codes, and zoning will help ensure quality development or redevelopment and protect property values by ensuring that all new development and redevelopment meets higher standards than would otherwise be enforced.

*Freeport Exemption* –the City of San Antonio and Bexar County allow personal property tax exemptions up to 100% on property detained in Texas for assembling, storing, manufacturing, processing or fabricating. Freeport Property must be transported to destinations outside of Texas within 175 days of acquisition or import.<sup>7</sup> This exemption provides a business incentive that can be used to promote the growth and expansion of businesses, particularly those engaged in logistics and distribution.

### *Transportation*

*The San Antonio Major Thoroughfare Plan (MTP)* is a long range plan for the City and Bexar County. It shows the future location, dimension and right-of way dedication of major roadways. The MTP has designated arterials including IH-35, Fisher Road, Watson Road, Applewhite Road, State Highway (SH) 16 and Loop 410 to serve this area.

The existing transportation network within the interior of this area consists of mostly rural roads with a few major arterials. IH-35, also known as the North American Free Trade Agreement (NAFTA) Corridor, bisects Area 1. IH-35 serves as a major trade route between Mexico and Canada. The combination of the opening of Toyota, the opening of the Union Pacific Intermodal center near IH-35 and Fischer Road, and the emergence of activity associated with the Eagle Ford Shale, there has been a marked increase in truck traffic on the disjointed east/west streets connecting IH-35 and IH-37. Applewhite Road, Jett Road, and Zarzamora Streets have all experienced increases due primarily to Toyota. Prior investments to improve traffic capacity on Zarzamora Street and Lone Star Pass have created good connectivity to Loop 410, Loop 1604, and SH 16. However, existing truck traffic patterns indicate a lack of an east-west connection between IH-35 and IH-37. Additional investment in creating this east/west connection along Watson Road/ Fischer Road is needed to provide a proper transportation corridor between IH-35 to SH16.

*Railroad* –The UPRR Intermodal Facility along the west side of IH-35 has direct access to surrounding expressways and railroads. However, the area located to the east of IH-35 does not have direct access to railroad lines. As mentioned east/west connector and road infrastructure improvements are needed to serve the area.

*Public transit* options are also limited and focused in the north-south directions. The VIA Metropolitan Transit Authority has a route along the SH 16 corridor within this area.

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<sup>7</sup> Freeport property must be in Texas for certain purposes, such as assembly, storage, manufacturing, processing or fabrication. Freeport property includes goods, wares, merchandise, and certain aircraft but does not include oil, natural gas and other petroleum products.

### *Protection of Environmental Resources*

The study area is rich in natural, agricultural, archeological and historical resources. This array of resources provides a unique opportunity to promote sustainable development, cultivate heritage and ecotourism initiatives, and maintain current agribusiness and mineral extraction activities in a manner that protects the public health, safety and welfare. Population growth and industrialization can threaten to encompass rural areas and impact an area's open space and natural resources. However, development and growth can occur in an environmentally sensitive manner by protecting significant natural resources.

### *Water Resources*

San Antonio Water System (SAWS) is the primary water and wastewater service provider in area. The area is located in the SAWS certificate of convenience and necessity (CNN) service area. In addition to central water systems and sewer systems, some of the rural residents rely on their well water and septic systems. In addition to providing water and sewer service SAWS promotes water quality by enforcing federal permit requirements for treatment of storm water runoff.

The Carrizo-Wilcox Aquifer underlies the study areas, one of the most extensive water-bearing formations in Texas. This aquifer furnishes water to wells yielding fresh to slightly saline water that is acceptable for most irrigation, public supply and industrial uses. The SAWS Aquifer Storage Recovery Facility (ASRF) stores drinking water in existing underground formations in the southeastern part of Bexar County. The nearby SAWS water treatment plant for Carrizo-Wilcox water will reduce pumping from the Edwards Aquifer during summer months and during drought conditions.

Surface water resources in the area are the Medina River, Elm Creek and Palo Blanco Creek. The Medina River, a principal tributary of the San Antonio River, is spring fed and gives a remarkably steady flow of clear water. The Medina River originates in springs in northwest Bandera County. The river then flows southeast for 116 miles to its mouth, on the San Antonio River in south Bexar County.

*Storm water Management:* The City of San Antonio has implemented several development measures to help prevent and/or reduce flood problems. Within flood areas, minimizing development or instituting low impact development (LID) allows for increased storm water percolation into the ground instead of collecting in areas where it could cause property damage or harm to residents. The use of detention areas or managed storm water runoff networks also assists to reduce the impacts of flooding during heavy storms. San Antonio currently implements many regulatory measures that are used to guide future development to manage storm water and flood prone areas.

*Bexar Regional Watershed Management:* Recognizing that major flooding issues require regional collaboration, local leaders established the Bexar Regional Watershed Management (BRWM) as an inter-local partnership to manage flood control and water quality. BRWM partners include Bexar County, City of San Antonio and San Antonio River Authority (SARA) and 20 municipalities such as the City of Somerset. Although BRWM partners are responsible for funding capital improvement projects within their jurisdiction, resources are coordinated to ensure effective storm water management.

### *Eco-region*

The Planning area lies in the northern part of the South Texas Plains eco-region, also known as the Rio Grande Plain or Tamaulipan Brush lands. Typically, the topography would include relatively flat areas and generally slopes from the northwest to southeast. The plains were once covered with open grasslands and a scattering of trees, and the valley woodlands were once more extensive. Today, the primary vegetation consists of thorny brush such as mesquite, acacia, and prickly pear mixed with areas of grassland. The annual rainfall averages 19 inches in the western part of the region while it averages 23 inches in the eastern part of the region. Average monthly rainfall is lowest during winter and highest during spring (May or June) and fall (September). Summer temperatures are high, with very high evaporation rates. Soils of the region are alkaline to slightly acidic clays and clay loams. The deeper soils support taller brush, such as mesquite and spiny hackberry, whereas short, dense brush characterizes the shallow caliche soils.

### *Agriculture and Agribusiness*

The majority of southern Bexar County is identified as Agricultural or Farm land. Graced with abundant natural and open space, the area provides opportunities for sustainable development, green industry, agribusiness, and agriculture education opportunities. The protection and development of natural areas would promote ecotourism and provide opportunities for recreation. Open space regulation is instrumental in preserving habitat, protecting the quality and quantity of water resources, providing an alternative means to manage storm water runoff, promoting good air quality and creating opportunities for recreation and education.

### *Open Space and Parks*

Medina River Greenway – The Medina River is a part of a regional system of greenways located along creeks which connect to parks and recreation areas. The City of San Antonio is constructing the Medina River Greenway; when completed the project will be a 13 mile trail. Two segments of the greenway have been completed; Phase I from Medina River Natural Area to Old Applewhite Road and Phase II from Old Applewhite Road to Medina River Crossing. Phase III from Medina River Crossing to Pleasanton Road and Phase IV from Pleasanton Road to Mitchell Lake are in the design phase. The total cost of the project is \$9.1 million and estimated project completion is 2013.

Furthermore, the San Antonio River Authority (SARA) is studying potential connection to the Medina River Greenway trail to El Camino Real de las Tejas. SARA is exploring developing a paddling trail on the Medina River. The Medina River Creekway connects to the Land Heritage Institute (LHI), located between Applewhite Road and Neal Road. Additionally, the area exhibits extraordinary biodiversity, including four wetland areas and nine major vegetation cover types.

### *Scenic, Cultural, and Historic Resource Protection*

The City extends its Historic Preservation regulation to preserve elements of our cultural heritage including buildings, monuments, acequias and other features its ETJ. The study area was surveyed in 1973 and in 1999. The two surveys indicate a loss of historic resources, a process that could be abated by the implementation of zoning. Protecting the outstanding scenic and rural qualities of corridors and historic landscapes would provide

an impetus for heritage tourism. Corridors that could merit protection are areas along roads with outstanding vistas, historic bridges and railroad rights-of-way.

The area is rich in history, from both the pre-historic and historic periods. The area contains numerous archeological sites and artifacts, sites of various Early Tejano historic buildings and structures such as, farms and ranches settled through Spanish land grants, cemeteries, historical bridges and roads (entradas) that were essential to the colonization of the new Texas frontier, along with many sites that commemorate battles for Mexican and Texas Independence. These characteristics give the area a unique identity, setting it apart from any other place.

This area does not stand isolated from the core city, but rather historically, served as important hinterlands that sustained and nurtured the city. It was in the southern part of Bexar County that the earliest settlers ranched, farmed and provided sustenance for not only themselves but for the citizens of Bejar. The cultural importance of this area should not be overlooked nor underestimated. Importantly, it is within this area that many vestiges of the immensely significant Spanish Colonial heritage remain.

*Spanish Land Grants* – Area 1 is carved out of a number of Spanish land grants including those settled by Ángel Navarro, Juan Manuel Ruiz, Francisco Ricardo Hernandez, Bernardino Ruiz de Castañeda, and Jose Maria Bacerra. Most of the original ranching families, in the area supported the Revolution. Navarro, Ruiz, Herrera, Hernández, Ruiz de Castañeda, and Bacerra served in the Texan Army. Francisco Ruiz was the acting Mayor of San Antonio during the Texas Revolution. As a prisoner of General Santa Anna, he was responsible for identifying the bodies of those killed at the Battle of the Alamo. Blas Herrera alerted the Alamo defenders about Santa Anna's approach.

The prevalent type of historic site, located within Area 1, is the farm and ranch complexes dating from the Spanish Colonial period to the mid-20th century. Farm and ranch complexes generally contain a main dwelling (either standing or ruins), and other outbuildings (standing or ruins) such as barns, smokehouses, sheds, and corrals, representing agricultural activities.

Early towns and communities include Paso de la Garza Cassin, Losoya, Earle, Buena Vista, and Southton. Cassin, located at one of the original Spanish Colonial crossings on the Medina River was founded in the early 1900's. It was a railroad stop on the San Antonio Uvalde and Gulf Railroad. Losoya, named after the original Spanish land grant holder, was also located near one of the Spanish Colonial crossings on the Medina River. The modern town of Losoya got its start after the Civil War. Buena Vista, first settled around 1900, once had a school, a store, and a number of homes.

Paso de las Garza's community, also known as Garza's Crossing is located at the intersection of Old Somerset Road and the Medina River. Paso de las Garza's as well as many other crossing points or "entradas" on the lower Medina River played an important part in the Spanish exploration of Texas. In April 1718, the expedition of the newly appointed governor of the province of Texas, Martin de Alarcon, used this crossing. During the Battle of the Medina in 1813, Garza's Crossing was used by either republican or royalist



forces. In 1835, it was one of several campsites utilized by the Mexican Army during its approach to San Antonio before the Battle of the Alamo. Blas Herrera settled on family land in the vicinity of this crossing.

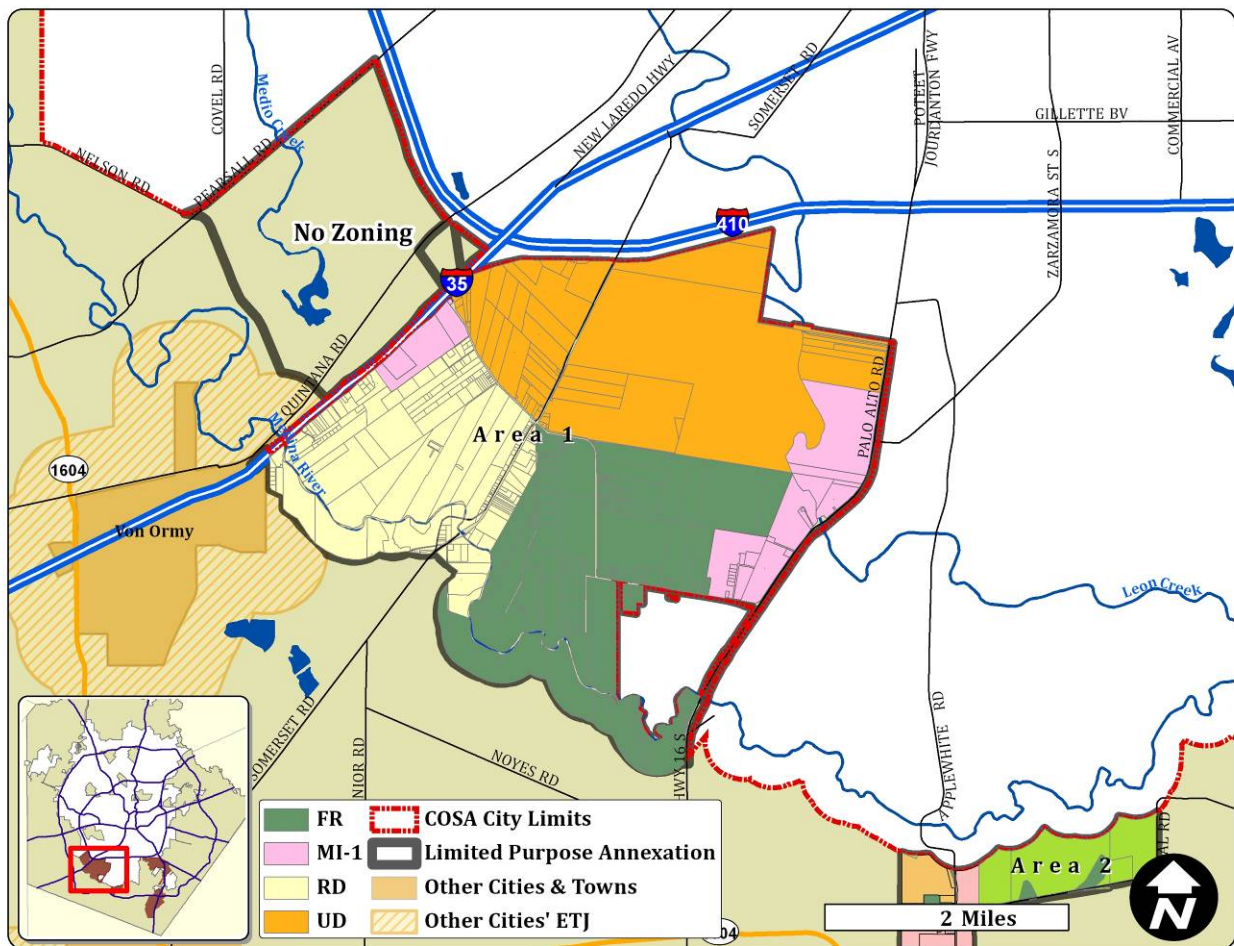
*Historic cemeteries* – Both Ruiz and Herrera are buried in the Ruiz-Herrera Cemetery which is located near Quesenberry Road at the Medina River within Area 1. John Wesley DeVilbiss was a Methodist minister who came to San Antonio in 1846 and along with John McCullough, a Presbyterian minister, held the first protestant services in San Antonio. DeVilbis is buried in Oak Island cemetery, located south of Area 1.

*Historic corridors* with outstanding vistas, historic bridges and railroad rights-of-way could merit protection. Historic roads within the area include the Upper Laredo Road near Somerset Road and El Camino de Palo Alto or El Camino de Agua Negra (circa 1848-1860) near SH 16.

### **Proposed Zoning for the Area**

This section identifies the proposed zoning of the area upon annexation and informs the public that any comments regarding the proposed zoning will be considered at the public hearings for the proposed limited-purpose annexation.

With the proposed dissolution of CSMA, oversight of planning and zoning within CSMA areas would cease. Limited purpose annexation will enable the City to continue to extend land use regulations and zoning previously enjoyed within CSMA and apply zoning in non-CSMA areas.

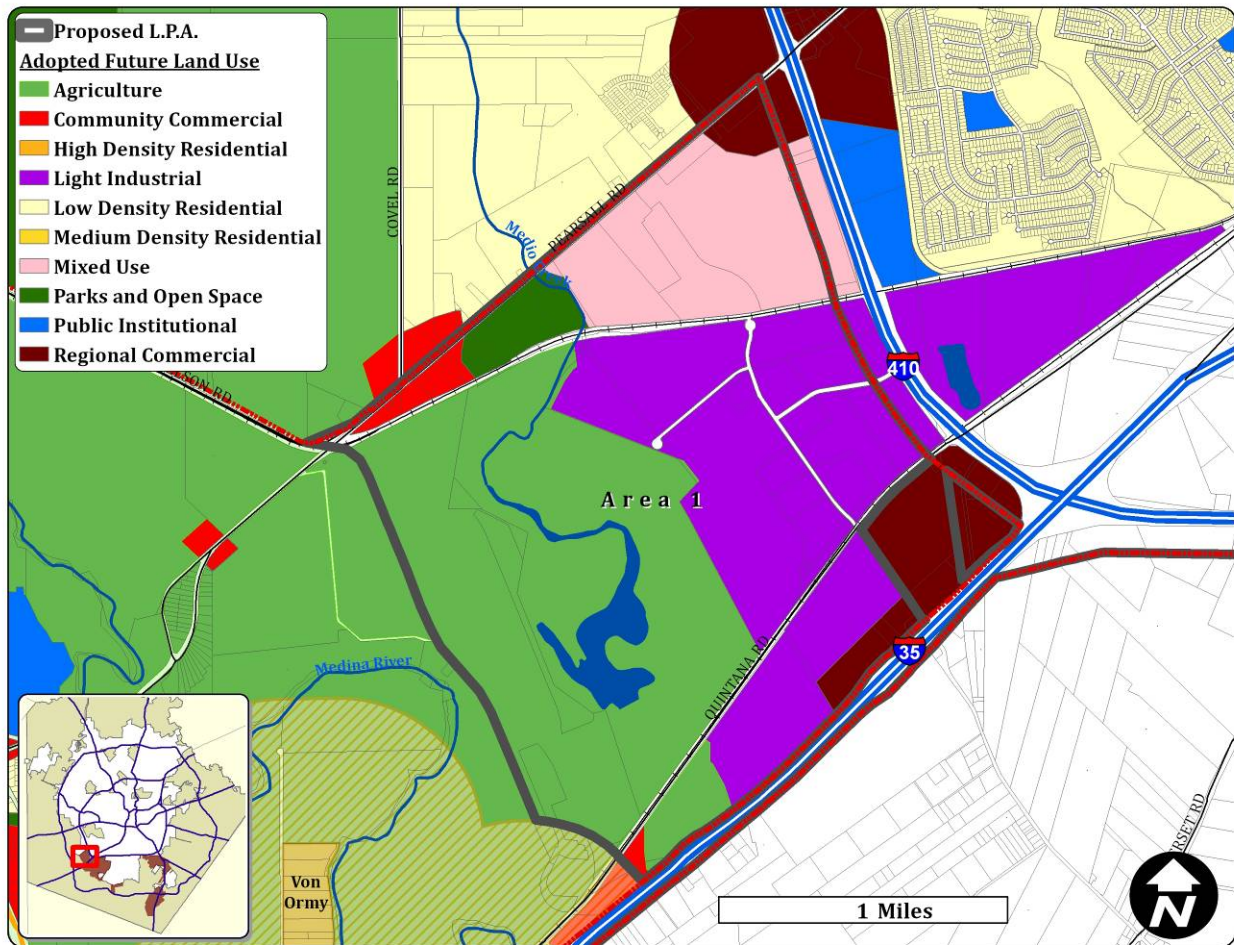


**Map 4: Area 1 – Current Zoning**

The Heritage South Sector Plan and the United Southwest Communities Plan, both components of the Comprehensive Master Plan of the City, currently satisfy the requirements of §43.127 (b) of the Local Government Code as a land use and intensity plan will continue to serve as a basis for services and capital improvement project planning. Staff has reviewed this plan, given the recommendation of the effectiveness study, and will recommend to City Council amendments that reflect the spirit of the recommendation of the effectiveness study. Thereafter, suitable zoning districts will be recommended for the area based on the amended plan. Zoning regulations and development codes could control the installation of new signs, billboards, and utilities; eliminate visual clutter; protect scenic views and preserve historic sites. The Zoning Commission will conduct at least one public hearing and make a recommendation to the City Council regarding the proposed rezoning. The City Council will conduct a public hearing and adopt any changes to the zoning map. **See the Regulatory Plan (Section C) for the Planning Framework for the study areas.**

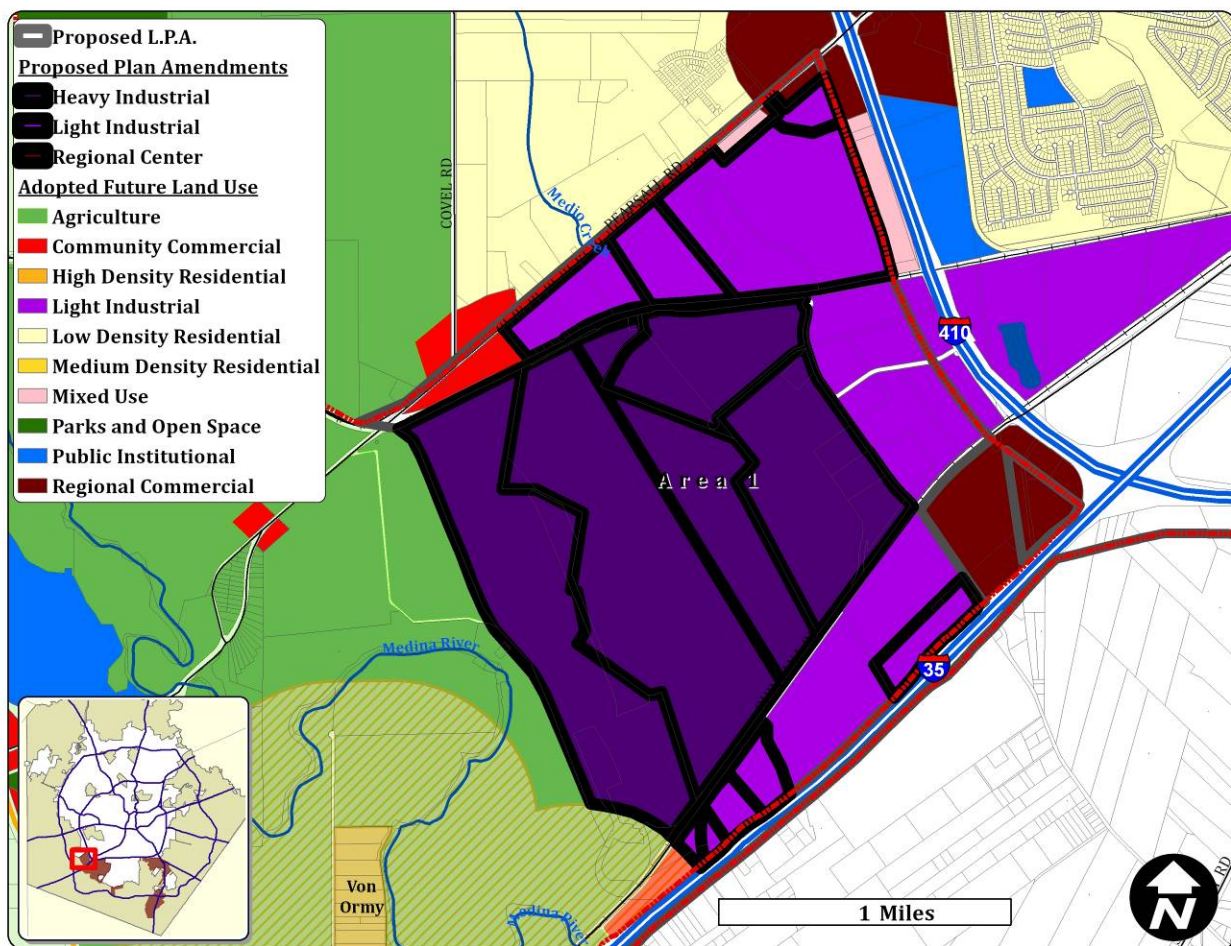
Factors that will be used to recommend appropriate zoning include consideration of the public health, safety, and general welfare and protection of historical and cultural areas. The City shall consider the size, shape and characteristics of parcels and their suitability for different types of development intensity. The compatibility of adjacent land uses with

those in and around the study area will be considered. Zoning guidelines can be modified to encourage commercial and other economic development.

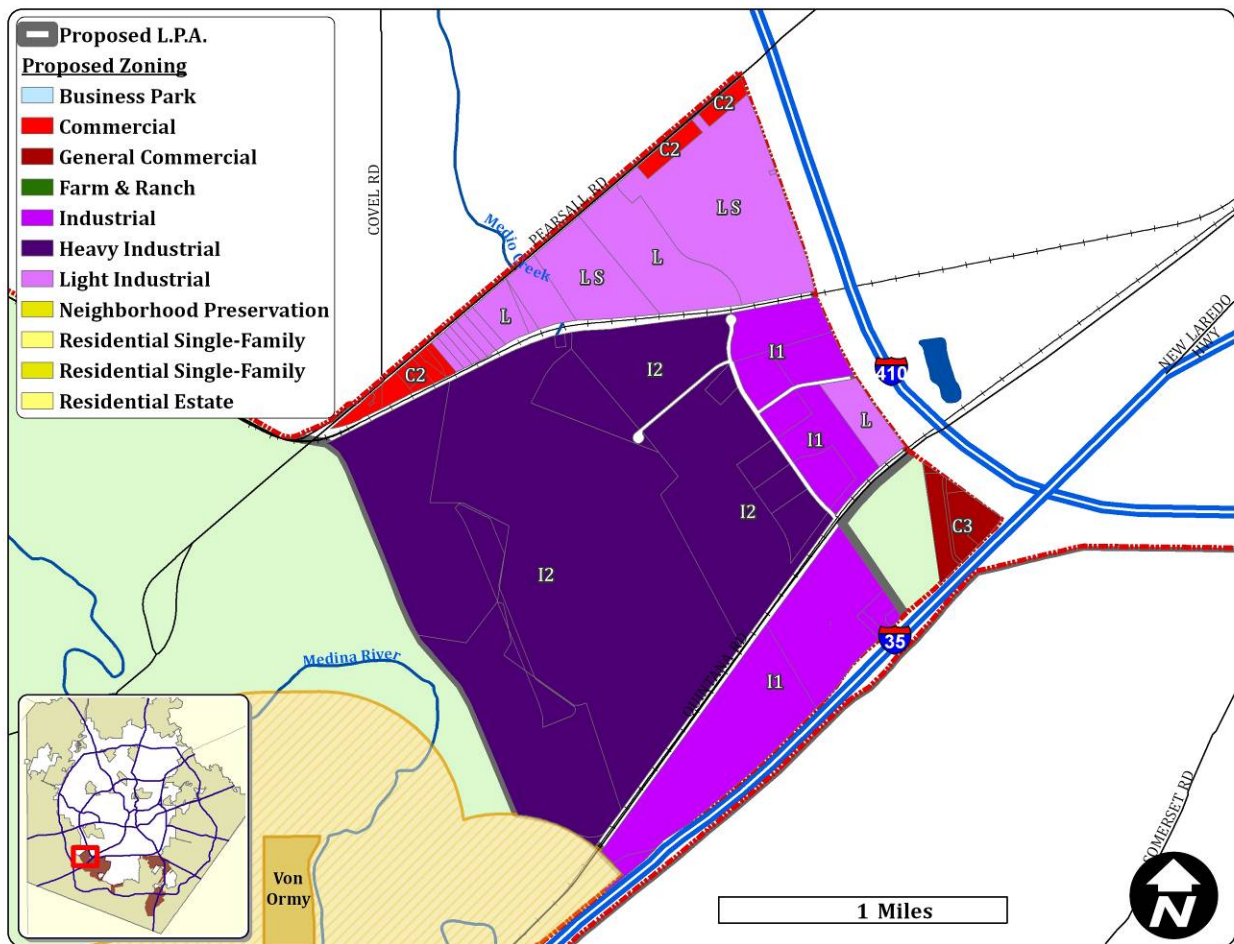


Map 5: Area 1 - Adopted Land Use Plan





Map 6: Area 1 - Proposed Land Use Plan



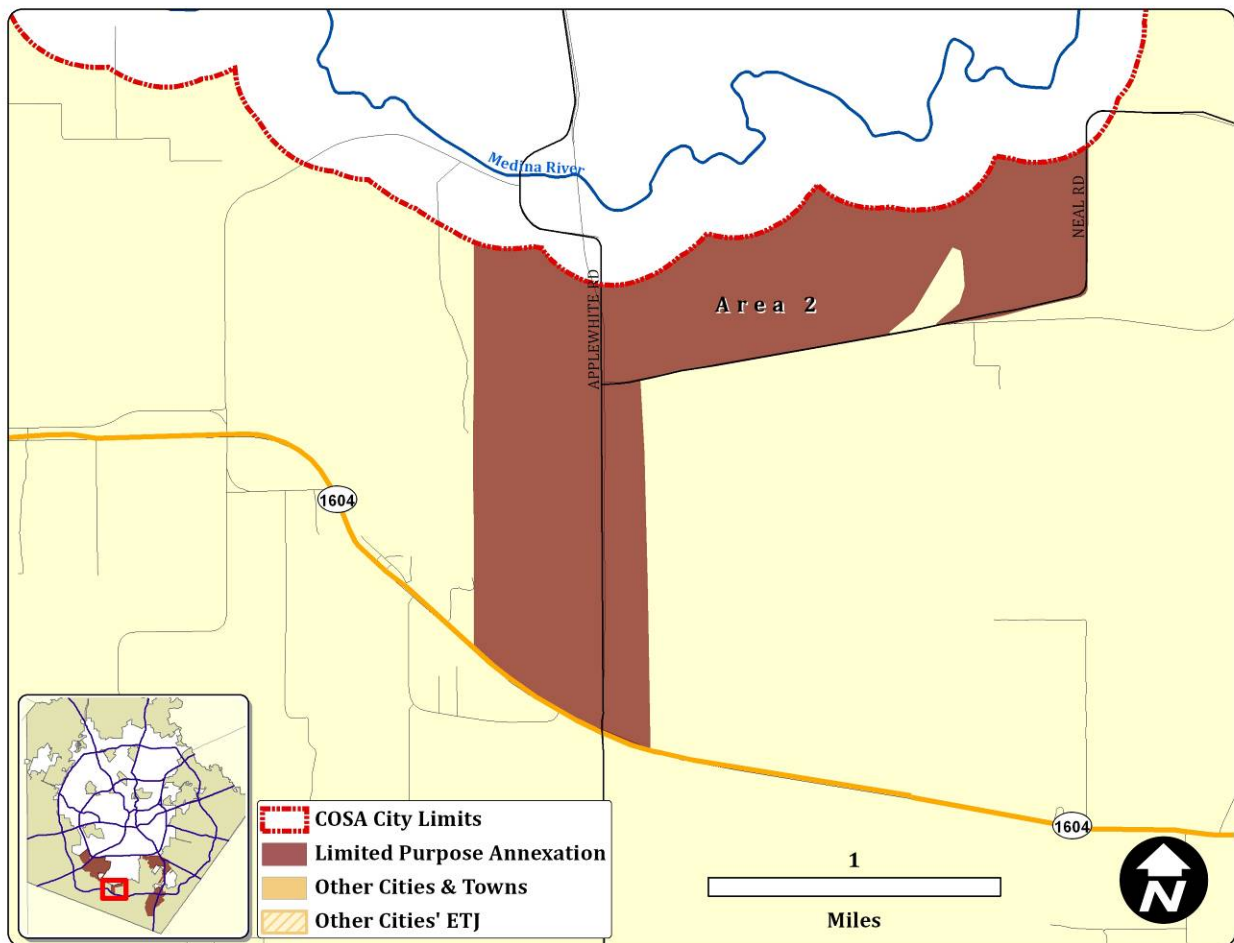
Map 7: Area 1 - Proposed Zoning

## Area 2

### Area Description

Area 2 is located on the southern bank of the Medina River, along Applewhite Road to South Loop 1604. It includes the Land Heritage Institute (LHI) of the Americas. The area is comprised of approximately two (2) square miles or 987 acres.

According to the 2010 Census, the population for this area was 46 residents. Within the next ten years, the area's population is projected to decline to 44 residents based on 2000 - 2010 rates. The predominant land use consists of agricultural land and undeveloped land.



Map 8: Area 2 Detail

### Projected Ten-Year Development with and without Limited Purpose Annexation

This section includes projections regarding the kinds and levels of development that will occur in the area in the next 10 years if the areas are annexed for limited purposes, as well as, if the areas are not annexed for limited purposes.



### *Existing Development*

The area generally is made up of ranches, farms, and large lots. Floodplains along the Medina River traverse significant amount of the area. Most of the floodplain traverses undeveloped land. Most of the industrial development has occurred to the north of the area.

Toyota Motor Manufacturing Plant in San Antonio (TMMTX) – is located to the north of Area 2. It represents a \$2.1 billion investment in Texas and employs nearly 2,800 team members to build the Tundra full-size pickup and the Tacoma compact pickup. TMMTX is Toyota's first plant to integrate production facilities for many of the manufacturer's suppliers on the same grounds, and in some cases, under the same roof.

### *New Development*

It is projected that in 10 years this study area, if developed to the same level as existing development throughout the City of San Antonio, has the potential for 322,789 square feet of commercial development, and 30,548 square feet of industrial development.<sup>8</sup> No additional residential development is anticipated for this study area, as it is along a thoroughfare designated as a Super Arterial Type B and the Heritage South Sector Plan currently classifies it as Agribusiness/RIMSE Tier and Natural Tier, neither of which are conducive to residential development.

## **Issues Supporting Limited Purpose Annexation**

### **Public Benefit from Limited Purpose Annexation**

Limited purpose annexation allows for the immediate application of land use controls and other City regulations. It provides the tools to regulate the type and character of development and redevelopment through the application of zoning, site development standards, building codes and other regulatory tools not available in unincorporated areas. Regulations for nonconforming uses will provide for the gradual elimination of existing incompatible uses. This will benefit the public by creating planned, high quality and sustainable development that will create a long term investment for the community.

After an area is annexed for limited purposes, the City will begin planning for the delivery of City services in preparation for full purpose annexation within three years. The three-year period will give the City the time necessary to plan for needed capital improvements in advance of future development within the areas and surrounding areas. Property owners in the area will have three years to plan for the financial impact of full purpose annexation.

## **Economic, Environmental and Other Impacts of the Limited Purpose Annexation**

This section analyzes the economic, environmental, and other impacts the annexation of the area for limited purposes will have on the residents, landowners, and businesses in the area.

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<sup>8</sup> This projection is the product of a methodology based on the assumption that development in new areas of the city will be roughly the same as existing development throughout the entire city.

### *Economic Development*

Increased oil and gas activities are expected to induce industrial development and redevelopment activities within the study areas. Furthermore, the application of development standards, building codes, and zoning will help ensure quality development or redevelopment and protect property values by ensuring that all new development and redevelopment meets higher standards than would otherwise be enforced.

Freeport Exemption –the City of San Antonio and Bexar County allow personal property tax exemptions up to 100% on property detained in Texas for assembling, storing, manufacturing, processing or fabricating. Freeport Property must be transported to destinations outside of Texas within 175 days of acquisition or import.<sup>9</sup> This exemption provides a business incentive that can be used to promote the growth and expansion of businesses, particularly those engaged in logistics and distribution.

### *Transportation*

The *San Antonio Major Thoroughfare Plan (MTP)* is a long range plan for the City and Bexar County. It shows the future location, dimension and right-of way dedication of major roadways. The MTP has designated Applewhite Road and Loop 1604 as arterials to serve this area.

The existing transportation network within the interior of Area 2 consists of mostly rural roads. With the combination of the opening of Toyota, the opening of the Union Pacific Intermodal center near IH-35 and Fischer Road, and the emergence of activity associated with the Eagle Ford Shale, there has been a marked increase in truck traffic on the east/west streets connecting IH-35 and IH-37. Applewhite Road, Jett Road, and Zarzamora Streets have all experienced increases due primarily to Toyota. Prior investments to improve traffic capacity on Zarzamora Street and Lone Star Pass have created good connectivity to Loop 410, Loop 1604, and Hwy 16. However, existing truck traffic patterns indicate a lack of an east-west connection between IH-35 and IH-37. Additional investment in creating this east/west connection along Watson Road/ Fischer Road is needed immediately to provide a proper transportation corridor between Areas 1, 2, and 3.

*Public transit* options are also limited and focused in the north-south directions. VIA Metropolitan Transit Authority has several bus routes along SH 16, US 281, FM 1937, and Zarzamora/Verano Parkway.

### *Environmental Resources*

#### *Water Resources*

San Antonio Water System (SAWS) is the primary water and wastewater service provider in area. The area is located in the SAWS certificate of convenience and necessity (CNN) service area. In addition to central water systems and sewer systems, some of the rural

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<sup>9</sup> Freeport property must be in Texas for certain purposes, such as assembly, storage, manufacturing, processing or fabrication. Freeport property includes goods, wares, merchandise, and certain aircraft but does not include oil, natural gas and other petroleum products.

residents rely on their well water and septic systems. In addition to providing water and sewer service SAWS promotes water quality by enforcing federal permit requirements for treatment of storm water runoff.

The Carrizo-Wilcox Aquifer underlies the study areas, one of the most extensive water-bearing formations in Texas. This aquifer furnishes water to wells yielding fresh to slightly saline water that is acceptable for most irrigation, public supply and industrial uses. The SAWS Aquifer Storage Recovery Facility (ASRF) stores drinking water in existing underground formations in the southeastern part of Bexar County. The nearby SAWS water treatment plant for Carrizo-Wilcox water will reduce pumping from the Edwards Aquifer during summer months and during drought conditions.

Surface water resources in the area are the Medina River, Elm Creek and Palo Blanco Creek. The Medina River, a principal tributary of the San Antonio River, is spring fed and gives a remarkably steady flow of clear water. The Medina River originates in springs in northwest Bandera County. The river then flows southeast for 116 miles to its mouth, on the San Antonio River in south Bexar County.

*Storm water Management:* The City of San Antonio has implemented several development measures to help prevent and/or reduce flood problems. Within flood areas, minimizing development or instituting low impact development (LID) allows for increased storm water percolation into the ground instead of collecting in areas where it could cause property damage or harm to residents. The use of detention areas or managed storm water runoff networks also assists to reduce the impacts of flooding during heavy storms. San Antonio currently implements many regulatory measures that are used to guide future development to manage storm water and flood prone areas.

*Bexar Regional Watershed Management:* Recognizing that major flooding issues require regional collaboration, local leaders established the Bexar Regional Watershed Management (BRWM) as an inter-local partnership to manage flood control and water quality. BRWM partners include Bexar County, the City of San Antonio and San Antonio River Authority (SARA) and 20 municipalities. Although BRWM partners are responsible for funding capital improvement projects within their jurisdiction, resources are coordinated to ensure effective storm water management.

#### *Eco-region*

Area 2 lies in the northern part of the South Texas Plains eco-region, also known as the Rio Grande Plain or Tamaulipan Brush lands. Typically, the topography would include relatively flat areas and generally slopes from the northwest to southeast. The plains were once covered with open grasslands and a scattering of trees, and the valley woodlands were once more extensive. Today, the primary vegetation consists of thorny brush such as mesquite, acacia, and prickly pear mixed with areas of grassland. The annual rainfall averages 19 inches in the western part of the region while it averages 23 inches in the eastern part of the region. Average monthly rainfall is lowest during winter and highest during spring (May or June) and fall (September). Summer temperatures are high, with very high evaporation rates. Soils of the region are alkaline to slightly acidic clays and clay

loams. The deeper soils support taller brush, such as mesquite and spiny hackberry, whereas short, dense brush characterizes the shallow caliche soils.

#### *Agriculture and Agribusiness*

The majority of southern Bexar County is identified as Agricultural or Farm land. Graced with abundant natural and open space, the planning area provides opportunities for sustainable development, green industry, agribusiness, and agriculture education opportunities.

The protection and development of natural areas would promote ecotourism and provide opportunities for recreation. Open space regulation is instrumental in preserving habitat, protecting the quality and quantity of water resources, providing an alternative means to manage storm water runoff, promoting good air quality and creating opportunities for recreation and education.

#### *Open Space and Parks*

Medina River Greenway – The Medina River is a part of a regional system of greenways located along creeks which connect to parks and recreation areas. The City of San Antonio is constructing the Medina River Greenway. Once completed, the project will be a 13 mile trail. Two segments of the greenway have been completed; Phase I from Medina River Natural Area to Old Applewhite Road and Phase II from Old Applewhite Road to Medina River Crossing. Phase III from Medina River Crossing to Pleasanton Road and Phase IV from Pleasanton Road to Mitchell Lake are in the design phase. The total cost of the project is \$9.1 million and estimated project completion is 2013.

Furthermore, the San Antonio River Authority (SARA) is studying potential connection to the Medina River Greenway trail to El Camino Real de las Tejas. SARA is exploring developing a paddling trail on the Medina River. Additionally, the area exhibits extraordinary biodiversity, including four wetland areas and nine major vegetation cover types.

The Medina River Creekway connects to the Land Heritage Institute (LHI), located between Applewhite Road and Neal Road. The LHI is an approximate 1,200 acres of preserved open space that contains the Presnall Watson Farmstead, which operates as a “living land museum”<sup>10</sup>.

#### *Scenic, Cultural, and Historic Resource Protection*

The City extends its Historic Preservation regulation to preserve elements of our cultural heritage including buildings, monuments, acequias and other features within its ETJ. The study area was surveyed in 1973 and in 1999. The two surveys indicate a loss of historic resources, a process that could be abated by the implementation of zoning. Protecting the outstanding scenic and rural qualities of corridors and historic landscapes would provide an impetus for heritage tourism. Corridors that could merit protection are areas along roads with outstanding vistas, historic bridges and railroad rights-of-way.

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<sup>10</sup> [www.landheritageinstitute.org](http://www.landheritageinstitute.org)

Historic archaeological sites include Historic Indian/Contact Period sites, early routes of exploration, trade and commerce and their associated river crossings, battlefield area, bridges, a rock art site, Spanish Colonial, Mexican, Tejano and Anglo-European farm and ranch complexes, churches, family and community cemeteries, 20th century irrigation canals and dumps as well as early communities.

This area does not stand isolated from the core city, but rather historically, served as important hinterlands that sustained and nurtured the city. It was in the southern part of Bexar County that the earliest settlers ranched, farmed and provided sustenance for not only themselves but for the citizens of Bejar. The cultural importance of this area should not be overlooked nor underestimated. Importantly, it is within this area that many vestiges of the immensely significant Spanish Colonial heritage remain.

*Spanish Land Grants* – This area is carved out of a number of Spanish land grants including the original ranch settled by Ygnacio Perez. During the Mexican revolution against Spanish rule, Perez served as a lieutenant colonel in the Spanish army and later was the last interim Spanish Provincial Governor of Texas. As early as 1790, he secured a one league grant on the north bank of the Medina River. In 1808, he acquired an additional four league grant on the south bank of the Medina River for a total of over 20,000 acres. His Spanish Colonial hacienda (aka Rancho de Piedra or Stone Ranch and Rancho de la Purisima Concepcion) is an important and historically significant site within the State of Texas. His son, Jose Ignacio Perez continued to ranch the land. The Texas Republic recognized only the original land grant of 4,000 acres which is located to the north of Area 2. This land grant was passed on to Perez's descendants as the JLC Ranch. In 2003, Toyota Motor Manufacturing Company Texas acquired the ranch and presently occupies 2,600 acres of the land.

Sites located along the Medina River have historical significance. The Battle of Medina, which spanned six to eight miles, was fought within the area. The Battle of Medina, fought in 1813 between Spanish Loyalists and the Republican Army of the North, has been called “the bloodiest battle ever fought in Texas”. In American history it is known as the Gutierrez-Magee Expedition or as the first Texas revolution. This grim encounter, which eclipsed the Alamo, Goliad, and San Jacinto together in its death toll, halted and destroyed the American filibustering expedition which had crossed into Texas from Louisiana a year earlier. And although Spain prevailed at the Battle of Medina, it soon lost the war to keep Mexico. A Texas Centennial marker commemorating the battle is located on FM1937 at Losoya Road.

The prevalent type of historic sites within the area is the farm and ranch complexes. Farm and ranch complexes generally contain a main dwelling (either standing or ruins), and other outbuildings (standing or ruins) such as barns, smokehouses, sheds, and corrals, representing agricultural activities. Dating from the 1830's-1860's, the Presnall Watson complex is located within the property of the Land Heritage Institute, within area 2. The Land Heritage Institute plans to restore some of the buildings and establish a living history center to demonstrate Texas farming and ranching techniques from the mid-19th to the early-20th century.

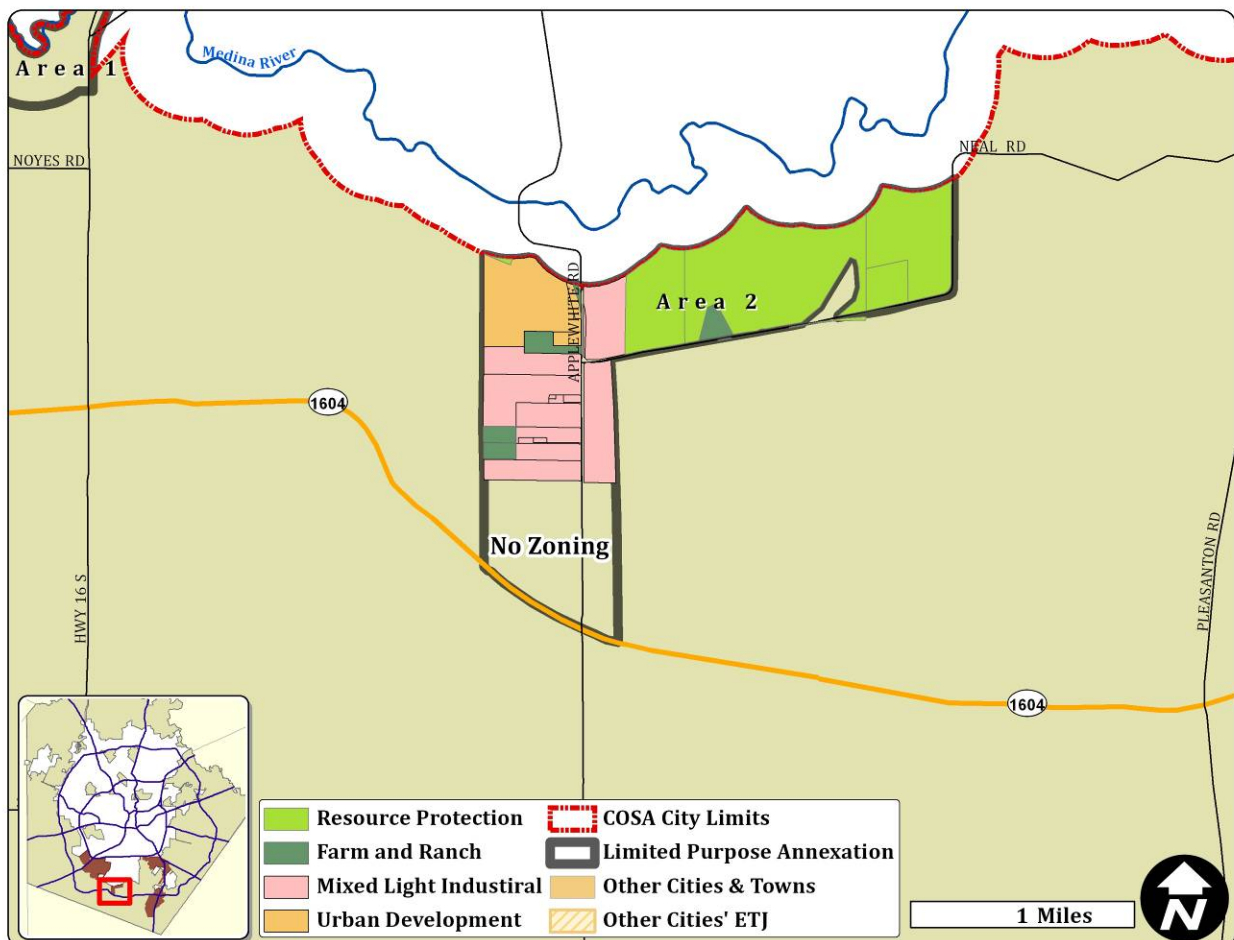
Early towns and communities located to the east of the area, include Cassin, Losoya, Earle, Buena Vista, and Southton. Cassin, located at one of the original Spanish Colonial crossings on the Medina River was founded in the early 1900's. It was a railroad stop on the San Antonio Uvalde and Gulf Railroad. Losoya, named after the original Spanish land grant holder, was also located near one of the Spanish Colonial crossings on the Medina River. The modern town of Losoya got its start after the Civil War. Buena Vista, first settled around 1900, once had a school, a store, and a number of homes.

*Historic corridors* with outstanding vistas, historic bridges and railroad rights-of-way could merit protection. Historic roads within the area include Applewhite Road (circa 1878-1938).

### Proposed Zoning for the Area

This section identifies the proposed zoning of the area upon annexation and informs the public that any comments regarding the proposed zoning will be considered at the public hearings for the proposed limited-purpose annexation.

With the proposed dissolution of CSMA, oversight of planning and zoning within CSMA areas would cease. Limited purpose annexation will enable the City to continue to extend land use regulation and zoning within CSMA and apply zoning in non-CSMA areas.

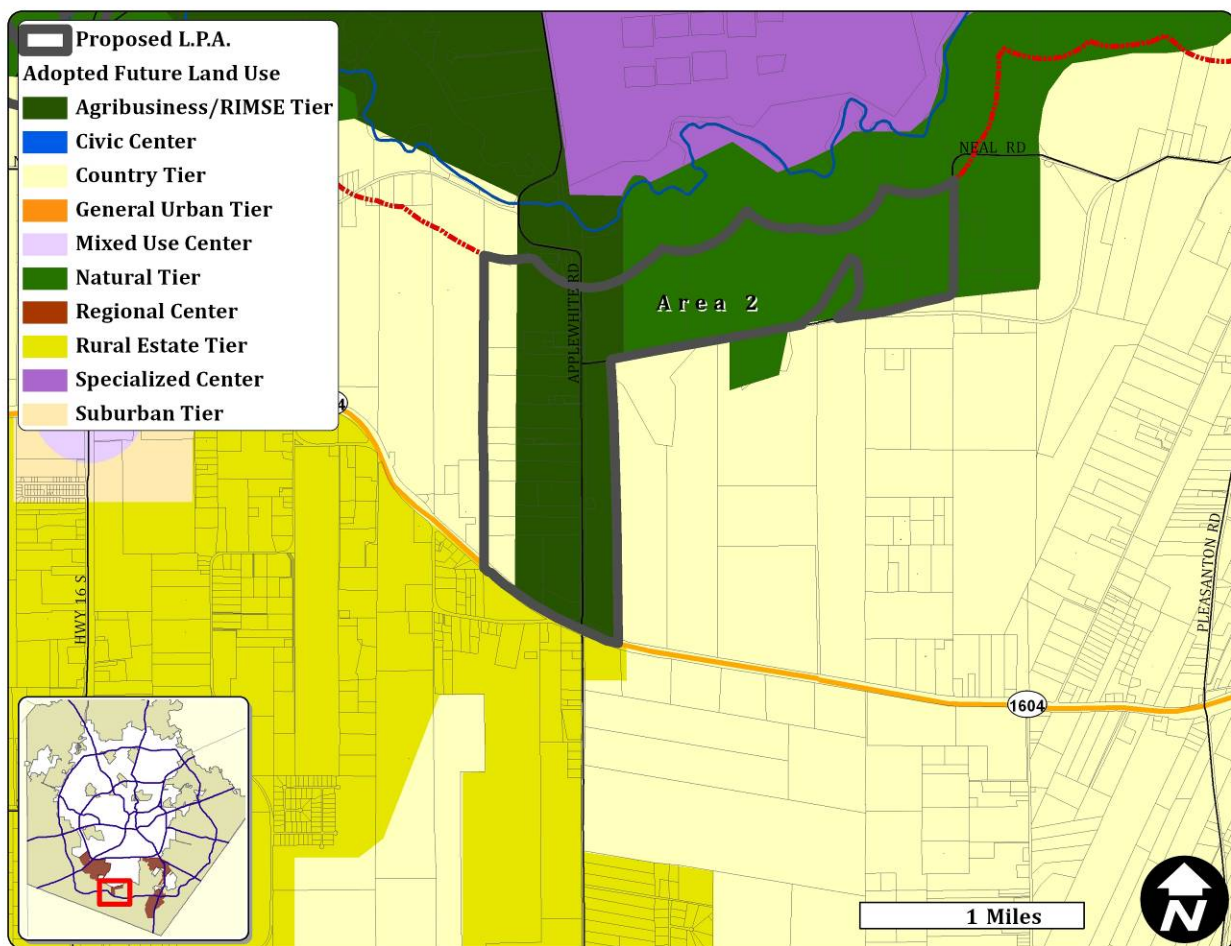




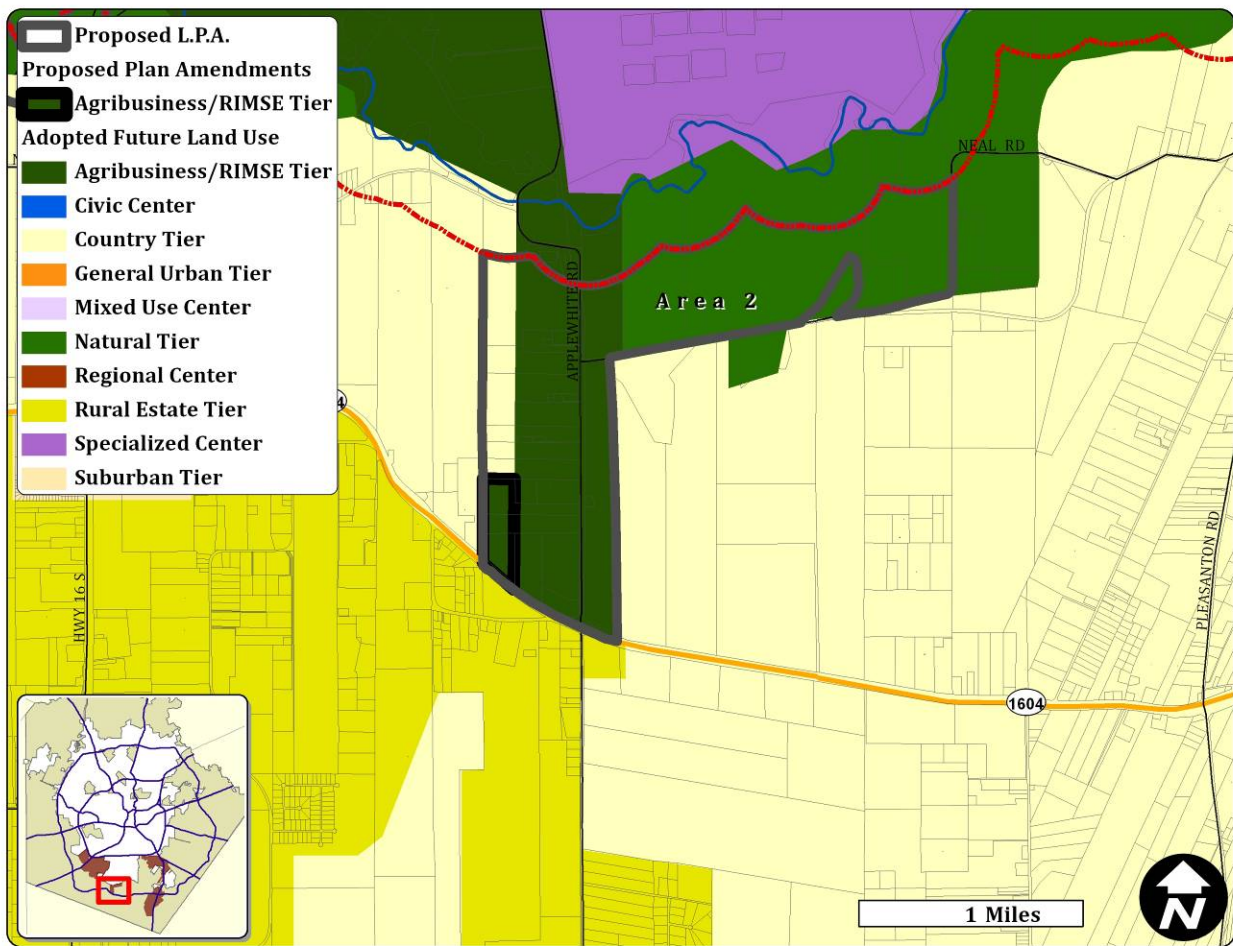
### **Map 9: Area 2 – Current Zoning**

The Heritage South Sector Plan, a component of the Comprehensive Master Plan of the City, currently satisfies the requirements of §43.127 (b) of the Local Government Code as a land use and intensity plan will continue to serve as a basis for services and capital improvement project planning. Staff has reviewed this plan for the area outside of the CSMA boundary, given the recommendations of the effectiveness study and will recommend to City Council amendments that reflect the spirit of the recommendations of the effectiveness study. Thereafter, suitable zoning districts will be recommended for the area based on the amended plan. Zoning regulations and development codes could control the installation of new signs, billboards, and utilities; eliminate visual clutter; protect scenic views and preserve historic sites. The Zoning Commission will conduct at least one public hearing and make a recommendation to the City Council regarding the proposed rezoning. The City Council will conduct a public hearing and adopt any changes to the zoning map. **See the Regulatory Plan (Section C) for the Planning Framework for the study areas.**

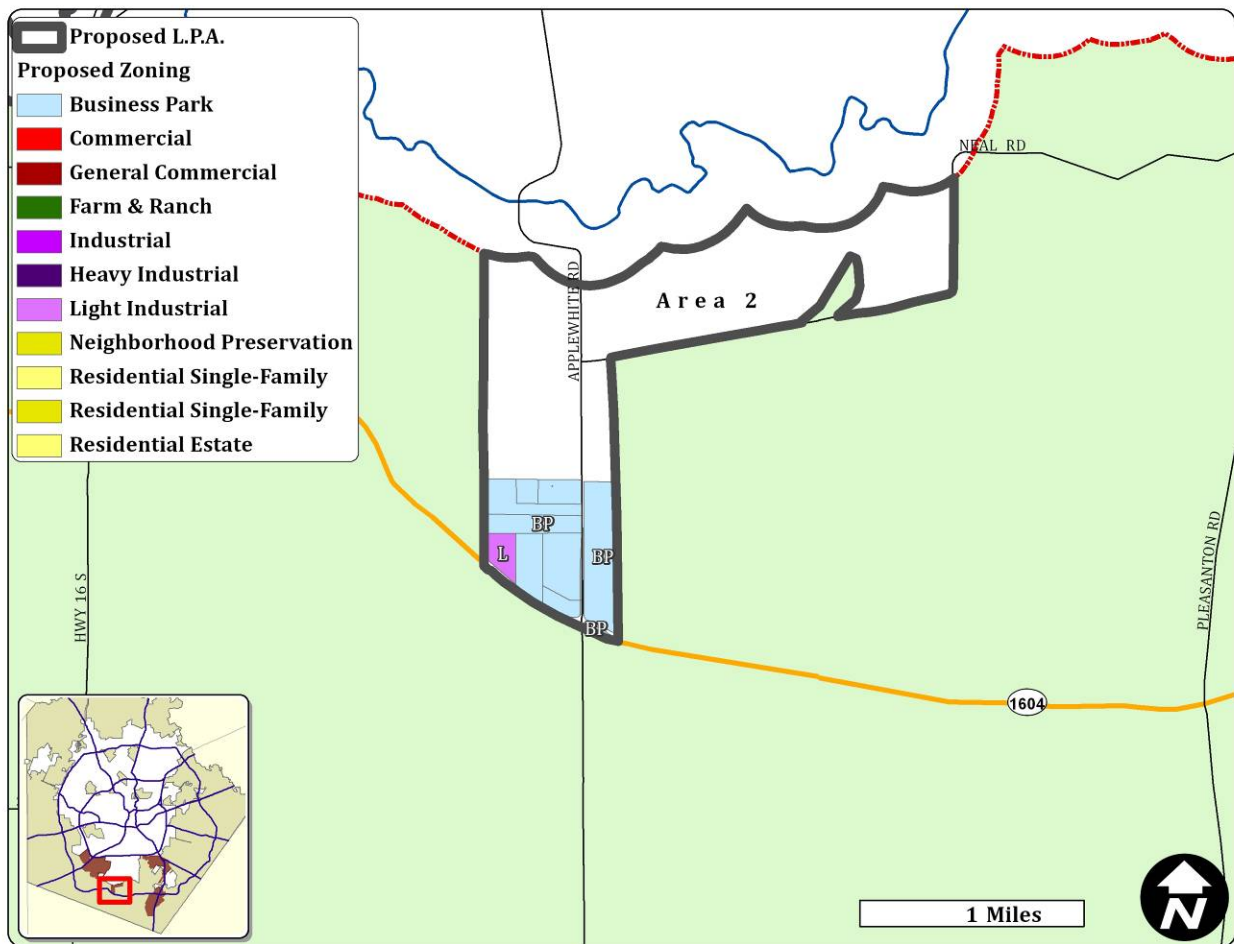
Factors that will be used to recommend appropriate zoning include consideration of the public health, safety, and general welfare and protection of historical and cultural areas. The City shall consider the size, shape and characteristics of parcels and their suitability for different types of development intensity. The compatibility of adjacent land uses with those in and around the study area will be considered. Zoning guidelines can be modified to encourage commercial and other economic development.



**Map 10: Area 2 - Adopted Land Use Plan**



Map 11: Area 2 - Proposed Land Use Plan

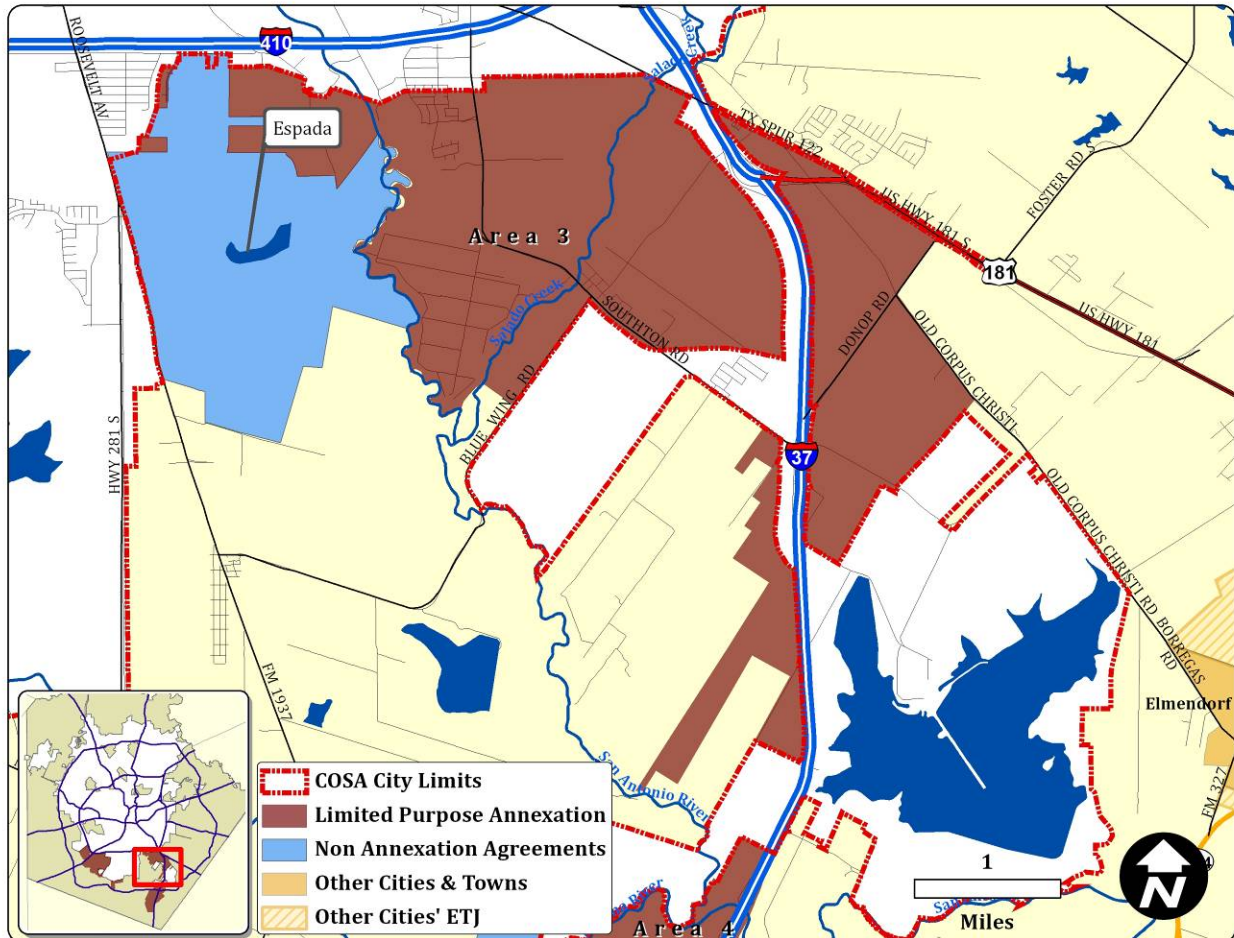


Map 12: Area 2 - Proposed Zoning

## Area 3

### Area Description

Area 3 is generally bound by the existing City Limits to the north, U.S. Highway 181, Donop Road, Old Corpus Christi Road, and the existing City Limits to the east, the existing City Limits to the south, and the existing City Limits, the San Antonio River, and the Espada Public Improvement District to the west.



Map 13: Area 3 Detail

### Projected Ten-Year Development with and without Limited Purpose Annexation

This section includes projections regarding the kinds and levels of development that will occur in the area in the next 10 years if the areas are annexed for limited purposes, as well as, if the areas are not annexed for limited purposes.

#### *Existing Development*

There are no Master Development Plans (MDPs) located within the area, although it abuts several. Within the study area, existing development is primarily in the form of heavy commercial and industrial, and rural single-family residential. The majority of the study area is used for agriculture purposes (23%) or is vacant land (39%). The area in the vicinity of U.S. Highway 181 and IH-37 has experienced moderate development related to and resulting from the Eagle Ford Shale Oil play. Specifically, oilfield services company



Baker Hughes recently opened a regional operation center near the intersection of U.S. Highway 181 and IH-37. Bexar County owns approximately 360 acres within the study area, which house the county public works facility, the Krier Correctional Facility, and the Bexar County Sheriff's Academy and Patrol Division Headquarters.

*The Blue Wing Solar Farm* is one of the largest solar generation facilities in the State of Texas, capable of generating 14.4 megawatts and occupying an area of 113 acres with 214,500 solar photovoltaic panels. It is located on Blue Wing Road and IH-37. CPS Energy has a 30-year power purchase agreement with Duke Energy Generation Services for the Blue Wing project.

#### *New Development*

It is projected that in 10 years this study area, if developed to the same level as existing development throughout the City of San Antonio, has the potential for 1,342,771 square feet of commercial development, 127,076 square feet of industrial development, 250 multi-family dwelling units, and 759 single-family dwelling units.<sup>11</sup>

*Southton Rail Yard* will be a 300 acre rail-served logistical center focusing primarily on service to the Eagleford Shale region well operators. Located on Southton Road, the site sits along the east bank of the San Antonio River and west of Salado Creek, near their confluence. The City South Management Authority Board granted a zoning change to allow this development on June 10, 2013.

### **Issues Supporting Limited Purpose Annexation**

This section describes the issues the City considers to give rise to the need for the annexation of the area for limited purposes and the public benefits to result from the limited-purpose annexation.

#### *Public Benefit from Limited Purpose Annexation*

After an area is annexed for limited purposes, the City will begin planning for the delivery of City services in preparation for full purpose annexation, while allowing for the immediate application of land use controls and other City regulations. The three-year period between limited purpose annexation and full purpose annexation will give the City the time necessary to plan for needed capital improvements in advance of future development within the areas and surrounding areas. Property owners in the area will have three years to plan for the financial impact of full purpose annexation.

Limited purpose annexation will establish a regulatory framework for both CSMA and non-CSMA area. Limited purpose annexation provides the tools to regulate the type and character of development and redevelopment through the application of zoning, site development standards, building codes and other regulatory tools not available in unincorporated areas. Regulations for nonconforming uses will provide for the gradual elimination of existing incompatible uses. This will benefit the public by encouraging high

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<sup>11</sup> This projection is the product of a methodology based on the assumption that development in new areas of the city will be roughly the same as existing development throughout the entire city and that households in study area will be approximately the same size as the countywide average of 2.7 persons per household.



quality and sustainable development that will create a long term investment for the community.

### **Economic, Environmental and Other Impacts of the Limited Purpose Annexation**

This section analyzes the economic, environmental, and other impacts the annexation of the area for limited purposes will have on the residents, landowners, and businesses in the area.

#### *Economic Development*

Increased oil and gas industry activities are expected to stimulate industrial and commercial development and redevelopment activities within the study areas. The application of development standards, building codes, and zoning will help ensure quality development or redevelopment and protect property values by ensuring that all new development and redevelopment meets higher standards than would otherwise be enforced.

Freeport Exemption –the City of San Antonio and Bexar County allow personal property tax exemptions up to 100% on property detained in Texas for assembling, storing, manufacturing, processing or fabricating. Freeport Property must be transported to destinations outside of Texas within 175 days of acquisition or import.<sup>12</sup> This exemption provides a business incentive that can be used to promote the growth and expansion of businesses, particularly those engaged in logistics and distribution.

#### *Transportation*

The *San Antonio Major Thoroughfare Plan (MTP)* is a long range plan for the City and Bexar County. It shows the future location, dimension and right-of way dedication of major arterials. The MTP has designated Blue Wing Road, Southton Road, Kelly Parkway, Rabel Road, and the future East and West Connector as arterials to serve this area.

Area 3 is bisected by IH- 37. This area has direct access to Loop 410, which provides excellent east/west connectivity and high traffic volume potential necessary for retail. The existing transportation network within the interior of this area consists of mostly rural roads. North/south connectivity is also available throughout the area with grade separated intersections with Loop 410. A non-critical improvement would be to extend the access roads of Loop 410 over the Union Pacific rail line to provide a consistent east/west connection on the access roads.

With the combination of the opening of Toyota, the opening of the Union Pacific Intermodal center near IH-35 and Fischer Road, and the emergence of activity associated with the Eagle Ford Shale, there has been a marked increase in truck traffic on the disjointed east/west street connectors between IH-35 and IH-37. Southton Road, US Highway 281 and Blue Wing Road have all experienced increases due to new single-family developments.

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<sup>12</sup> Freeport property must be in Texas for certain purposes, such as assembly, storage, manufacturing, processing or fabrication. Freeport property includes goods, wares, merchandise, and certain aircraft but does not include oil, natural gas and other petroleum products.

Public transit options are also limited and focused in the north-south directions. Two VIA bus routes are located along FM 1937 and US 181 corridors within this area.

#### *Water Resources*

The study areas are located in the San Antonio Water System (SAWS) certificated water service area. In addition to providing water and sewer service, SAWS promotes water quality by enforcing federal permit requirements for treatment of storm water runoff.

Regulations pertaining to flood plain protection and storm water management will provide adequate measures for the retention, detention and distribution of storm water in a manner that minimizes the possibility of adverse impacts of both water quality and water quantity during development. To further protect the area's natural character, natural storm water conveyance systems including earthen drainage channels, temporary ponds and on-site storage currently are options provided for in the City's development code. Surface water resources in the area are the San Antonio River and Salado Creek. The Medina River, a principal tributary of the San Antonio River, is spring fed and gives a remarkably steady flow of clear water. The Medina River originates in springs in northwest Bandera County. The river then flows southeast for 116 miles to its mouth, on the San Antonio River in south Bexar County.

The Carrizo-Wilcox Aquifer underlies the study areas, one of the most extensive water-bearing formations in Texas. This aquifer furnishes water to wells yielding fresh to slightly saline water that is acceptable for most irrigation, public supply and industrial uses. In the southeastern part of Bexar County, the SAWS Twin Oaks Aquifer Storage Recovery Facility (ASRF) stores excess Edwards Aquifer drinking water during rainy times in a large-scale underground water storage facility, saving it to be used during dry periods. This plant will reduce pumping from the Edwards Aquifer during summer months and during drought conditions. Additionally, SAWS is currently developing a brackish groundwater desalination program in southeastern Bexar County, with the plant located at the SAWS Twin Oaks Aquifer Storage and Recovery Site and well sites on adjacent SAWS property. Brackish groundwater is a plentiful, previously untapped local source of water that will help diversify San Antonio's supplies. While these facilities are not within the study areas their regional importance and adjacency are noteworthy.

#### *Agriculture and Agribusiness*

The majority of southern Bexar County is identified as Agricultural or Farm land. The Blackland Prairie predominantly consists of brush lands. The topography contrasts from gentle rolling to nearly level soils. Historically, these soils of dark clay and sandy loam were covered with grasses. A diversity of plant and animal life characterizes the study area. Principal plants are mesquite, small live oak, post oak, prickly pear cactus, catclaw, blackbrush, whitebrush, huajillo, huisache, cenizo and others that provide dense cover. The study area is a destination for migratory birds. Bird watching is a fast growing tourist activity across the state of Texas. Presently, the topography is well suited for agri-business including solar power.

### *Open Space and Parks*

The protection and development of natural areas would promote ecotourism and provide opportunities for recreation. Open space regulation is instrumental in preserving habitat, protecting the quality and quantity of water resources, providing an alternative means to manage storm water runoff, promoting good air quality and creating opportunities for recreation and education.

The Medina River is a part of a regional system of greenways located along creeks which connect to parks and recreation areas. The Medina River Creekway is situated from IH-35 to S Highway 16 within Study Area 2. This seven-mile trail stretches from the Medina River Natural Area, located along State Highway 16, towards Lone Star Pass. Future plans include extending the trail eastward, connecting to Jim Mattox Park by the Mission Del Lago Golf Course and to the San Antonio River trails at Mission Espada in Area 3. Furthermore, the San Antonio River Authority (SARA) is studying potential connection to the Medina River Greenway trail to El Camino Real de las Tejas. SARA is exploring developing a paddling trail on the Medina River.

### *Scenic, Cultural, and Historic Resource Protection*

The City extends its Historic Preservation regulation to preserve elements of our cultural heritage including buildings, monuments, acequias and other features within its ETJ. The study area was surveyed in 1973 and in 1999. The two surveys indicate a loss of historic resources, a process that could be abated by the implementation of zoning. Protecting the outstanding scenic and rural qualities of corridors and historic landscapes would provide an impetus for heritage tourism. Corridors that could merit protection are areas along roads with outstanding vistas, historic bridges and railroad rights-of-way. Zoning regulations and development codes could control the installation of new signs, billboards, and utilities; eliminate visual clutter; protect scenic views and preserve historic sites.

Historic archaeological sites include Mission San Francisco de la Espada (1731), four kilns associated with the mission, the Espada acequia and aqueduct, Historic Indian/Contact Period sites, early routes of exploration, trade and commerce and their associated river crossings, battlefield area, bridges, a rock art site, Spanish Colonial, Mexican, Tejano and Anglo-European farm and ranch complexes, churches, family and community cemeteries, 20th century irrigation canals and dumps as well as early communities.

This area does not stand isolated from the core city, but rather historically, served as important hinterlands that sustained and nurtured the city. It was in the southern part of Bexar County that the earliest settlers ranched, farmed and provided sustenance for not only themselves but for the citizens of Bejar. The cultural importance of this area should not be overlooked nor underestimated. Importantly, it is within this area that many vestiges of the immensely significant Spanish Colonial heritage remain.

Mission San Francisco de la Espada and its associated kilns, acequia, and aqueduct are located just to the north to Area 3. Mission San Francisco de la Espada was moved from East Texas to the San Antonio River in 1731. It is one of five Spanish missions in San Antonio and is a part of the San Antonio Missions National Historic Park. In 2012, the U.S.

Secretary of the Interior nominated the San Antonio Franciscan Missions to the new United States World Heritage for consideration by the World Heritage Committee in 2015.

According to the Bexar County Historical Commission website, “El Camino Real de los Tejas” was based on trails used by Native Americans, settlers and traders traveling between Mexico and Louisiana through Texas. “El Camino Real de los Tejas” was designated by the US Congress in 2004 as a National Historic Trail. Historic segments of the Camino Real de los Tejas in Area 3 are the Camino de la Bahia del Espiritu Santo/Goliad Road, and the Old Corpus Christi Road.

Several of the early leaders of San Antonio, including Asa Mitchell settled in the southern portion of Bexar County. Asa Mitchell was one of “Old Three Hundred,” whom received Spanish land grants through Stephen F. Austin’s colony in 1822. He was an early advocate of Texas independence, helping draw up the Declaration of Independence and fighting in the Battle of San Jacinto. Mitchell Lake, which is located to the east of Area 3, was named after him. Mitchell County was named for him and his brother, Eli Mitchell. On November 6, 1865, Mitchell died and was buried in the family plot near his ranch home, which is located to the southeast of Area 3.

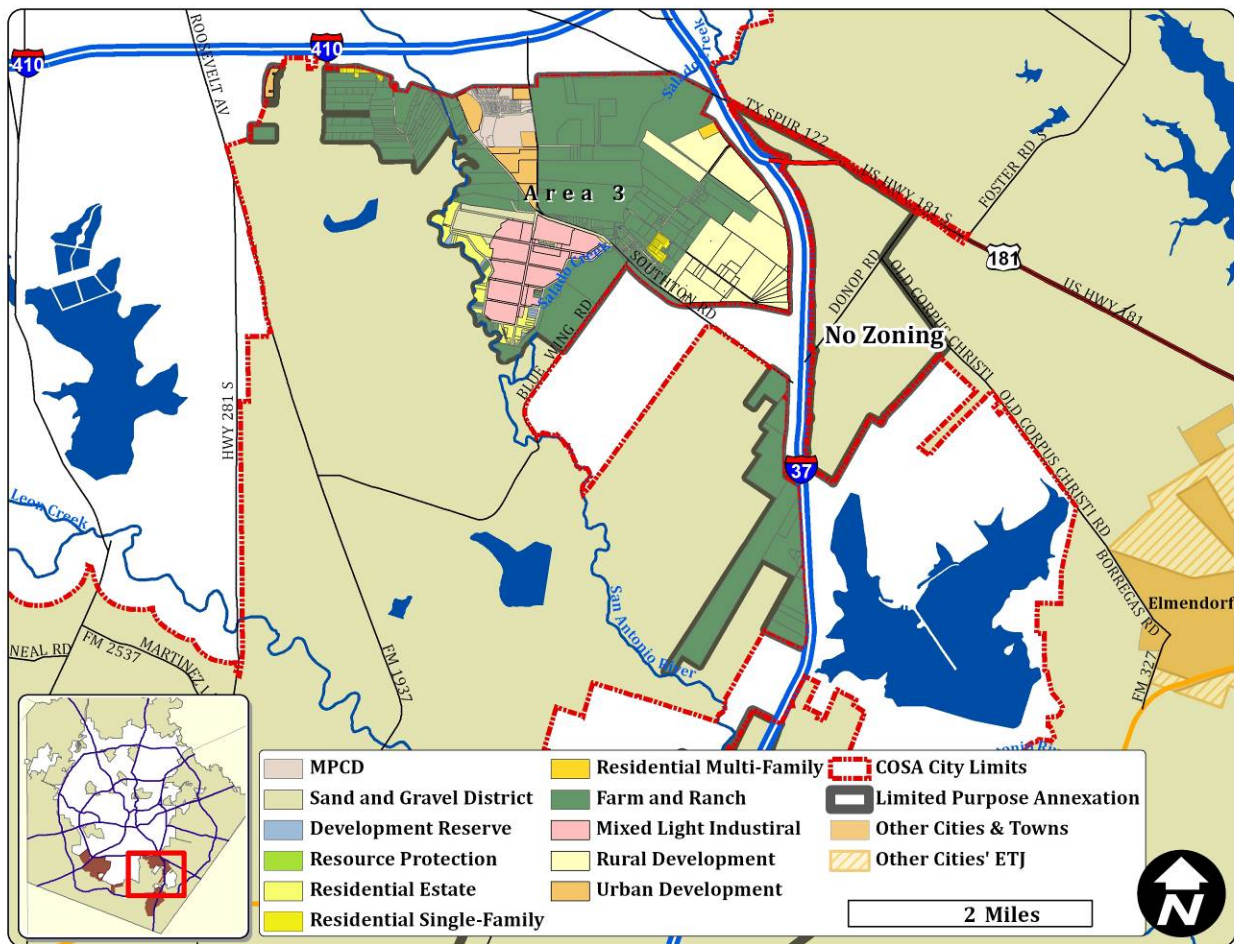
The prevalent type of historic sites within Area 3 are the farm and ranch complexes dating from the Spanish Colonial period to the mid-20th century. Farm and ranch complexes generally contain a main dwelling (either standing or ruins), and other outbuildings (standing or ruins) such as barns, smokehouses, sheds, and corrals, representing agricultural activities.

Early towns and communities located near Area 3 include Cassin, Losoya, Earle, Buena Vista, and Southton. Cassin, located at one of the original Spanish Colonial crossings on the Medina River was founded in the early 1900’s. It was a railroad stop on the San Antonio Uvalde and Gulf Railroad. Losoya, named after the original Spanish land grant holder, was also located near one of the Spanish Colonial crossings on the Medina River. The modern town of Losoya got its start after the Civil War. Buena Vista, first settled around 1900, once had a school, a store, and a number of homes.

### **Proposed Zoning for the Area**

This section identifies the proposed zoning of the area upon annexation and informs the public that any comments regarding the proposed zoning will be considered at the public hearings for the proposed limited-purpose annexation.

With the proposed dissolution of CSMA, oversight of planning and zoning within CSMA areas would cease. Limited purpose annexation will enable the City to continue to extend land use regulation and zoning within CSMA and apply zoning in non-CSMA areas.



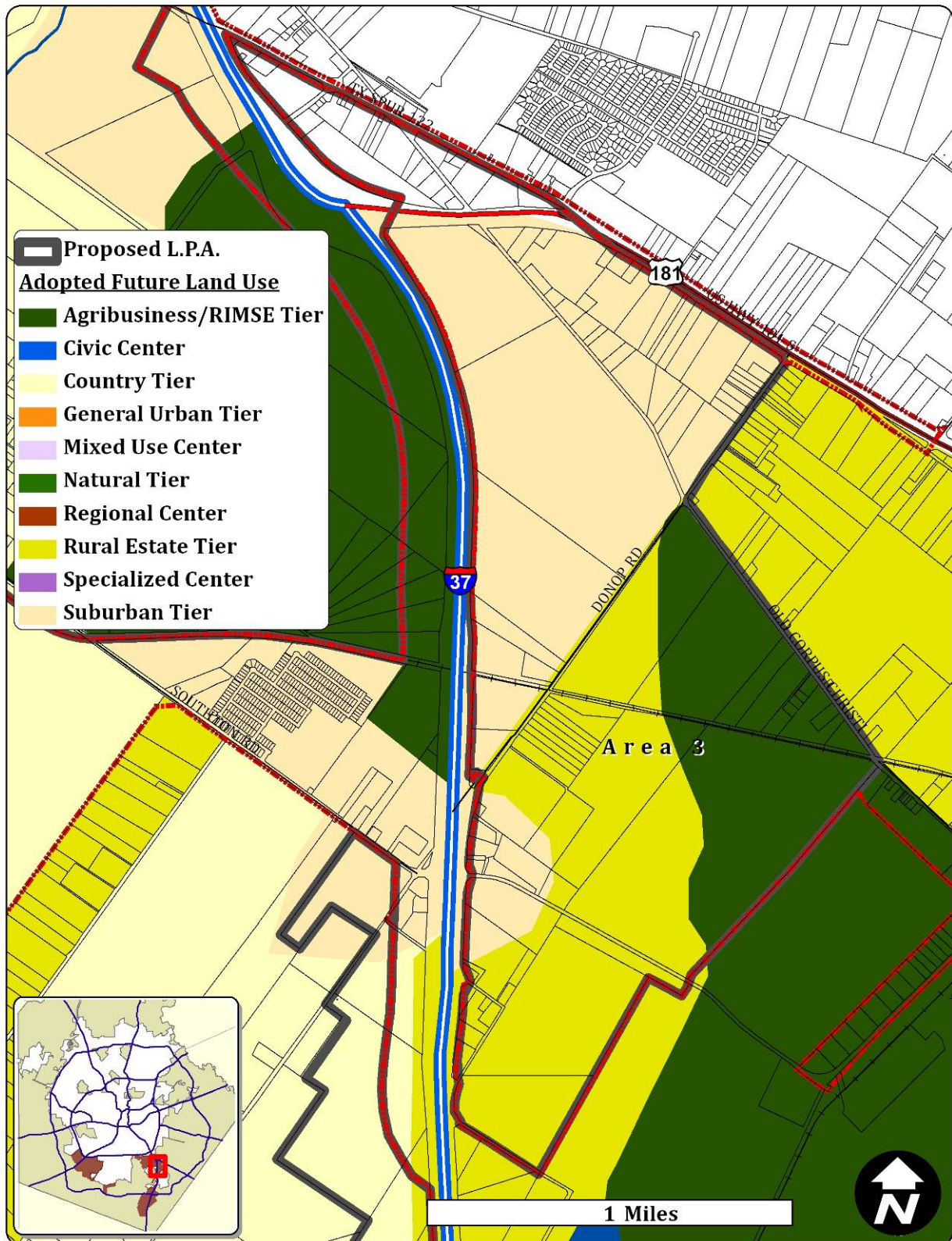
**Map 14: Area 3 - Current Zoning**

The Heritage South Sector Plan, a component of the Comprehensive Master Plan of the City, currently satisfies the requirements of §43.127 (b) of the Local Government Code as a land use and intensity plan and will continue to serve as a basis for services and capital improvement project planning. Staff has reviewed this plan for the areas outside the CSMA boundary, given the recommendation of the effectiveness study, and will recommend to City Council amendments that reflect the spirit of the recommendation of the effectiveness study. Thereafter, suitable zoning districts will be recommended for the area based on the amended plan. Zoning regulations and development codes could control the installation of new signs, billboards, and utilities; eliminate visual clutter; protect scenic views and preserve historic sites. The Zoning Commission will conduct at least one public hearing and make a recommendation to the City Council regarding the proposed rezoning. The City Council will conduct a public hearing and adopt any changes to the zoning map. **See the Regulatory Plan (Section C) for the Planning Framework for the study areas.**

Factors that will be used to recommend appropriate zoning include consideration of the public health, safety, and general welfare and protection of historical and cultural areas. The City shall consider the size, shape and characteristics of parcels and their suitability for different types of development intensity. The compatibility of adjacent land uses with

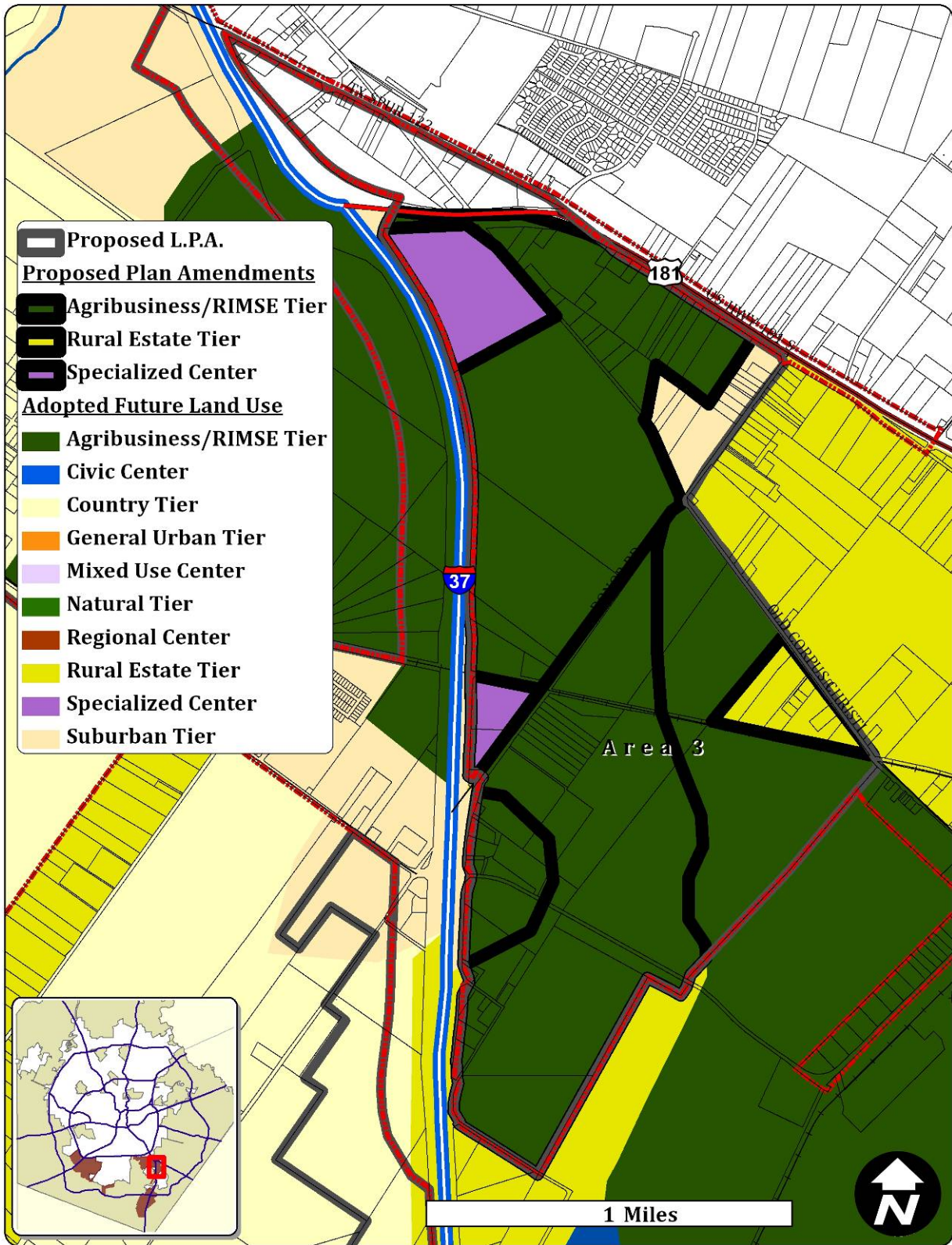


those in and around the study area will be considered. Zoning guidelines can be modified to encourage commercial and other economic development.



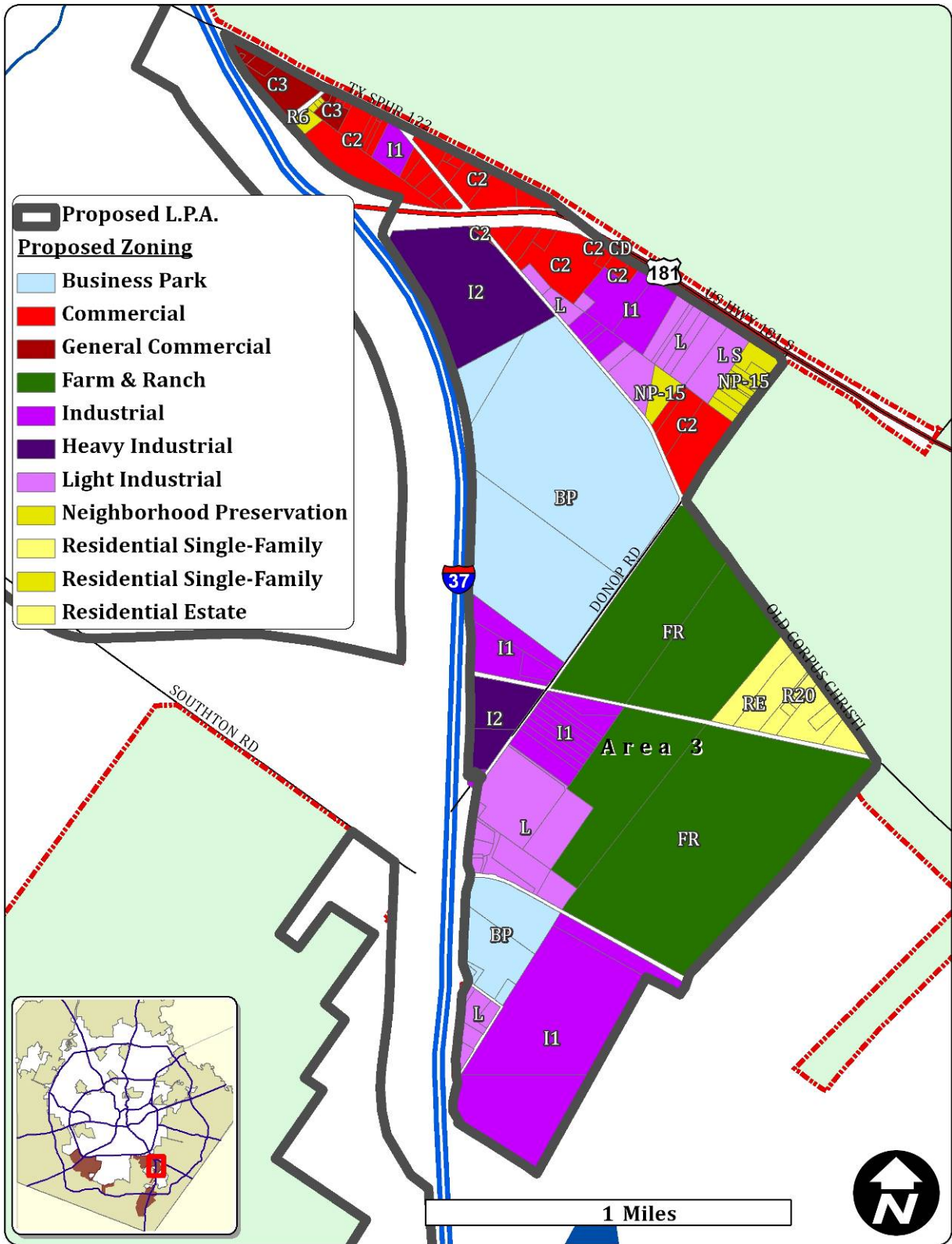
Map 15: Area 3 - Adopted Land Use Plan





Map 16: Area 3 - Proposed Land Use Plan



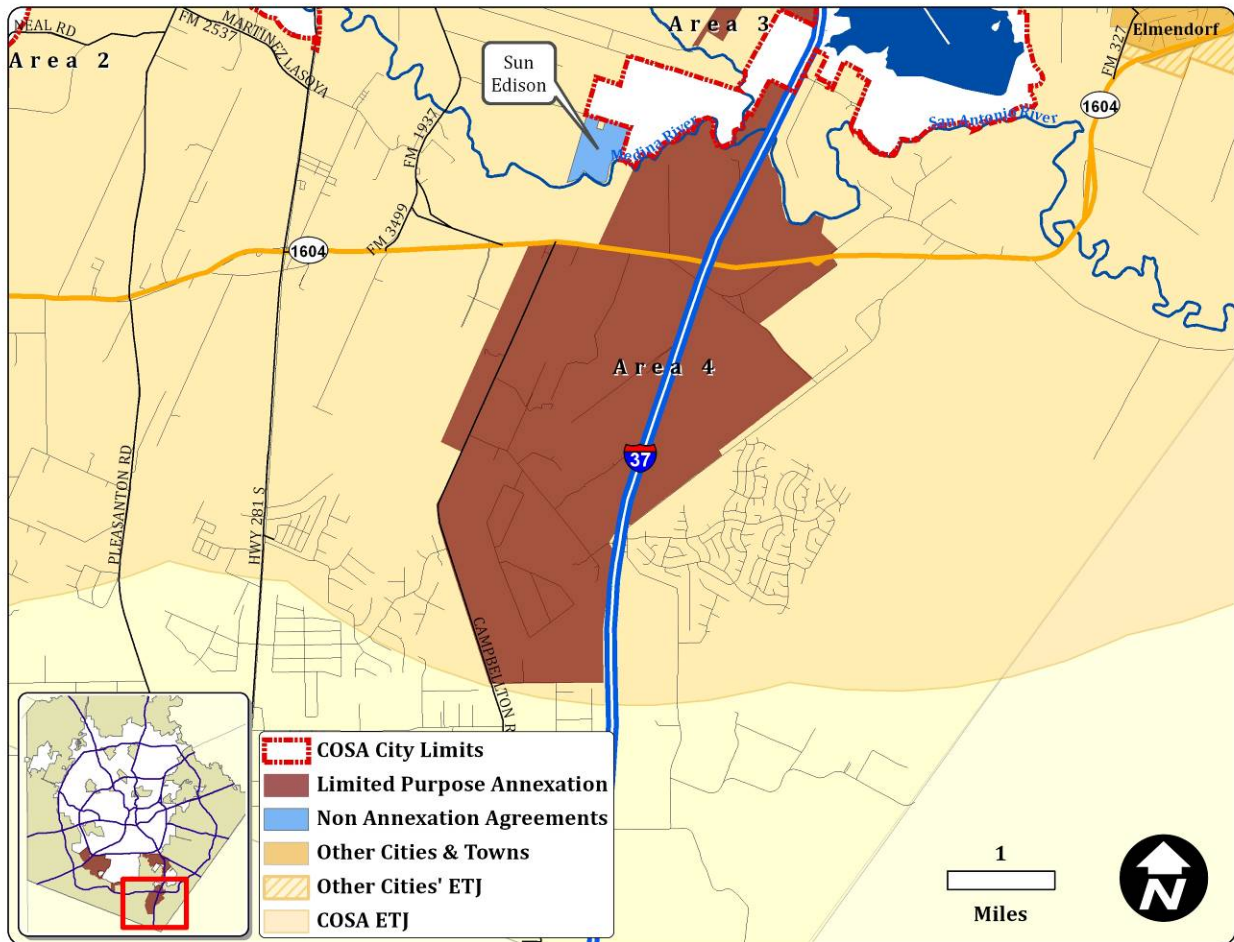


Map 17: Area 3 - Proposed Zoning

## Area 4

### Area Description

Area 4 is generally bound by the existing City Limits, the Medina River, and the San Antonio River to the north, Campbellton Road to the west, Ranch Trail Road to the south, and Priest Road and Lamm Road to the east. IH-37 and S.E. Loop 1604 bisect the area.



Map 18: Area 4 Detail

### Projected Ten-Year Development with and without Limited Purpose Annexation

This section includes projections regarding the kinds and levels of development that will occur in the area in the next 10 years if the areas are annexed for limited purposes, as well as, if the areas are not annexed for limited purposes.

#### Existing Development

There are a few Master Development Plans (MDPs) located within the area. These are residential and commercial developments which have been platted and built-out. Existing development in the study area is primarily single-family residential or mobile homes on large lots in a rural setting. A large portion of the land area is used for agricultural purposes or is open space. Study area 4 has experienced moderate industrial and commercial development resulting from the Eagle Ford Shale Oil play. Oilfield and gas services industry in particular have located in this area in recent years. This growth has

resulted in the openings of Weatherford International and Halliburton facilities located near the intersection of IH-37 and Loop 1604.

*Centennial Solar Farms 1 and 2* are located at the SAWS Dos Rios Water Recycling Center, covering an area of approximately 197 acres on land owned by SAWS. The farms are capable of producing a combined 19.8 megawatts and have about 83,000 solar photovoltaic panels installed. Under a long-term purchase power agreement, CPS Energy will purchase the energy produced from the solar deployment at fixed energy rates for 25 years. These facilities are not within the study area, but are identified due to their adjacency and regional significance.

#### *New Development*

It is projected that in 10 years this study area, if developed to the same level as existing development throughout the City of San Antonio, has the potential for 2,171,273 square feet of commercial development, 205,483 square feet of industrial development, 157 multi-family dwelling units, and 382 single-family dwelling units.<sup>13</sup>

### **Issues Supporting Limited Purpose Annexation**

This section describes the issues the City considers to give rise to the need for the annexation of the area for limited purposes and the public benefits to result from the limited-purpose annexation.

#### *Public Benefit from Limited Purpose Annexation*

After an area is annexed for limited purposes, the City will begin planning for the delivery of City services in preparation for full purpose annexation, while allowing for the immediate application of land use controls and other City regulations. The three-year period between limited purpose annexation and full purpose annexation will give the City the time necessary to plan for needed capital improvements in advance of future development within the areas and surrounding areas. Property owners in the area will have three years to plan for the financial impact of full purpose annexation.

Limited purpose annexation will establish a regulatory framework for the area. Limited purpose annexation provides the tools to regulate the type and character of development and redevelopment through the application of zoning, site development standards, building codes and other regulatory tools not available in unincorporated areas. Regulations for nonconforming uses will provide for the gradual elimination of existing incompatible uses. This will benefit the public by encouraging high quality and sustainable development that will create a long term investment for the community.

### **Economic, Environmental and Other Impacts of the Limited Purpose Annexation**

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<sup>13</sup> This projection is the product of a methodology based on the assumption that development in new areas of the city will be roughly the same as existing development throughout the entire city and that households in study area will be approximately the same size as the countywide average of 2.7 persons per household.

This section analyzes the economic, environmental, and other impacts the annexation of the area for limited purposes will have on the residents, landowners, and businesses in the area.

#### Economic Development

Increased oil and gas activities are expected to induce industrial development and redevelopment activities within the study areas. Furthermore, the application of development standards, building codes, and zoning will help ensure quality development or redevelopment and protect property values by ensuring that all new development and redevelopment meets higher standards than would otherwise be enforced.

Freeport Exemption –the City of San Antonio and Bexar County allow personal property tax exemptions up to 100% on property detained in Texas for assembling, storing, manufacturing, processing or fabricating. Freeport Property must be transported to destinations outside of Texas within 175 days of acquisition or import.<sup>14</sup> This exemption provides a business incentive that can be used to promote the growth and expansion of businesses, particularly those engaged in logistics and distribution.

#### Transportation

The *San Antonio Major Thoroughfare Plan (MTP)* is a long range plan for the City and Bexar County. It shows the future location, dimension and right-of way dedication of major roadways. The MTP has designated Campbellton Road and New Mathis Road as arterials to serve this area.

Area 4 has direct access to IH-37 and Loop 1604. Both of these highways provide excellent access to South Texas. The existing transportation network within the interior of this area consists of mostly rural roads. With the combination of the opening of Toyota, the opening of the Union Pacific Intermodal center near IH-35 and Fischer Road, and the emergence of activity associated with the Eagle Ford Shale, there has been a marked increase in truck traffic on the disjointed east/west connectors between IH-35 and IH-37.

Mass transit options are also limited and focused in the north-south directions. VIA Metropolitan Transit Authority has two routes that are located close to Area 4. The routes are along FM 1937 and US 181.

#### Water Resources

The study areas are located in the San Antonio Water System (SAWS) certificated water service area. In addition to providing water and sewer service, SAWS promotes water quality by enforcing federal permit requirements for treatment of storm water runoff.

Regulations pertaining to flood plain protection and storm water management will provide adequate measures for the retention, detention and distribution of storm water in a

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<sup>14</sup> Freeport property must be in Texas for certain purposes, such as assembly, storage, manufacturing, processing or fabrication. Freeport property includes goods, wares, merchandise, and certain aircraft but does not include oil, natural gas and other petroleum products.

manner that minimizes the possibility of adverse impacts of both water quality and water quantity during development. To further protect the area's natural character, natural storm water conveyance systems including earthen drainage channels, temporary ponds and on-site storage currently are options provided for in the City's development code. Surface water resources in the area are the Medina River, Elm Creek and Palo Blanco Creek. The Medina River, a principal tributary of the San Antonio River, is spring fed and gives a remarkably steady flow of clear water. The Medina River originates in springs in northwest Bandera County. The river then flows southeast for 116 miles to its mouth, on the San Antonio River in south Bexar County.

The Carrizo-Wilcox Aquifer underlies the study areas, one of the most extensive water-bearing formations in Texas. This aquifer furnishes water to wells yielding fresh to slightly saline water that is acceptable for most irrigation, public supply and industrial uses. In the southeastern part of Bexar County, the SAWS Twin Oaks Aquifer Storage Recovery Facility (ASRF) stores excess Edwards Aquifer drinking water during rainy times in a large-scale underground water storage facility, saving it to be used during dry periods. This plant will reduce pumping from the Edwards Aquifer during summer months and during drought conditions. Additionally, SAWS is currently developing a brackish groundwater desalination program in southeastern Bexar County, with the plant located at the SAWS Twin Oaks Aquifer Storage and Recovery Site and well sites on adjacent SAWS property. Brackish groundwater is a plentiful, previously untapped local source of water that will help diversify San Antonio's supplies. While these facilities are not within the study areas their regional importance and adjacency are noteworthy.

#### *Agriculture and Agribusiness*

The majority of southern Bexar County is identified as Agricultural or Farm land. The Blackland Prairie predominantly consists of brush lands. The topography contrasts from gentle rolling to nearly level soils. Historically, these soils of dark clay and sandy loam were covered with grasses. A diversity of plant and animal life characterizes the study area. Principal plants are mesquite, small live oak, post oak, prickly pear cactus, catclaw, blackbrush, whitebrush, huajillo, huisache, cenizo and others that provide dense cover. The study area is a destination for migratory birds. Bird watching is a fast growing tourist activity across the state of Texas. Presently, the topography is well suited for agri-business including solar power.

#### *Open Space and Parks*

The protection and development of natural areas would promote ecotourism and provide opportunities for recreation. Open space regulation is instrumental in preserving habitat, protecting the quality and quantity of water resources, providing an alternative means to manage storm water runoff, promoting good air quality and creating opportunities for recreation and education.

The Medina River is a part of a regional system of greenways located along creeks which connect to parks and recreation areas. The Medina River Creekway is situated from IH-35 to S Highway 16 within Study Area 3. This seven-mile trail stretches from the Medina River Natural Area, located on along State Highway 16, towards Lone Star Pass. Future plans include extending the trail eastward, connecting to Jim Mattox Park by the Mission Del Lago

Golf Course and to the San Antonio River trails at Mission Espada in Area 3. Furthermore, the San Antonio River Authority (SARA) is studying potential connection to the Medina River Greenway trail to El Camino Real de las Tejas. SARA is also exploring development of a paddling trail on the Medina River to Elmendorf.

#### *Scenic, Cultural, and Historic Resource Protection*

The City extends its Historic Preservation regulation to preserve elements of our cultural heritage including buildings, monuments, acequias and other features within its ETJ. The study area was surveyed in 1973 and in 1999. The two surveys indicate a loss of historic resources, a process that could be abated by the implementation of zoning. Protecting the outstanding scenic and rural qualities of corridors and historic landscapes would provide an impetus for heritage tourism. Corridors that could merit protection are areas along roads with outstanding vistas, historic bridges and railroad rights-of-way.

Historic archaeological sites include Historic Indian/Contact Period sites, early routes of exploration, trade and commerce and their associated river crossings, battlefield area, bridges, a rock art site, Spanish Colonial, Mexican, Tejano and Anglo-European farm and ranch complexes, churches, family and community cemeteries, 20th century irrigation canals and dumps as well as early communities.

This area does not stand isolated from the core city, but rather historically, served as important hinterlands that sustained and nurtured the city. It was in the southern part Bexar County that the earliest settlers ranched, farmed and provided sustenance for not only themselves but for the citizens of Bejar. The cultural importance of this area should not be overlooked nor underestimated. Importantly, it is within this area that many vestiges of the immensely significant Spanish Colonial heritage remain.

Several of the early leaders of San Antonio, including Asa Mitchell settled in the southern portion of Bexar County. Asa Mitchell was one of “Old Three Hundred,” whom received Spanish land grants through Stephen F. Austin’s colony in 1822. He was an early advocate of Texas independence, helping draw up the Declaration of Independence and fighting in the Battle of San Jacinto. Mitchell Lake, which is located to the northwest of Area 4, was named after him. Mitchell County was named for him and his brother, Eli Mitchell. On November 6, 1865, Mitchell died and was buried in the family plot near his ranch home, which is located to the southeast of Area 4.

The prevalent type of historic sites within the area is the farm and ranch complexes dating from the Spanish Colonial period to the mid-20th century. Farm and ranch complexes generally contain a main dwelling (either standing or ruins), and other outbuildings (standing or ruins) such as barns, smokehouses, sheds, and corrals, representing agricultural activities.

Early towns and communities located in close proximity to Area 2, include Cassin, Losoya, Earle, Buena Vista, and Southton. Cassin, located at one of the original Spanish Colonial crossings on the Medina River was founded in the early 1900’s. It was a railroad stop on the San Antonio Uvalde and Gulf Railroad. Losoya, named after the original Spanish land grant holder, was also located near one of the Spanish Colonial crossings on the Medina

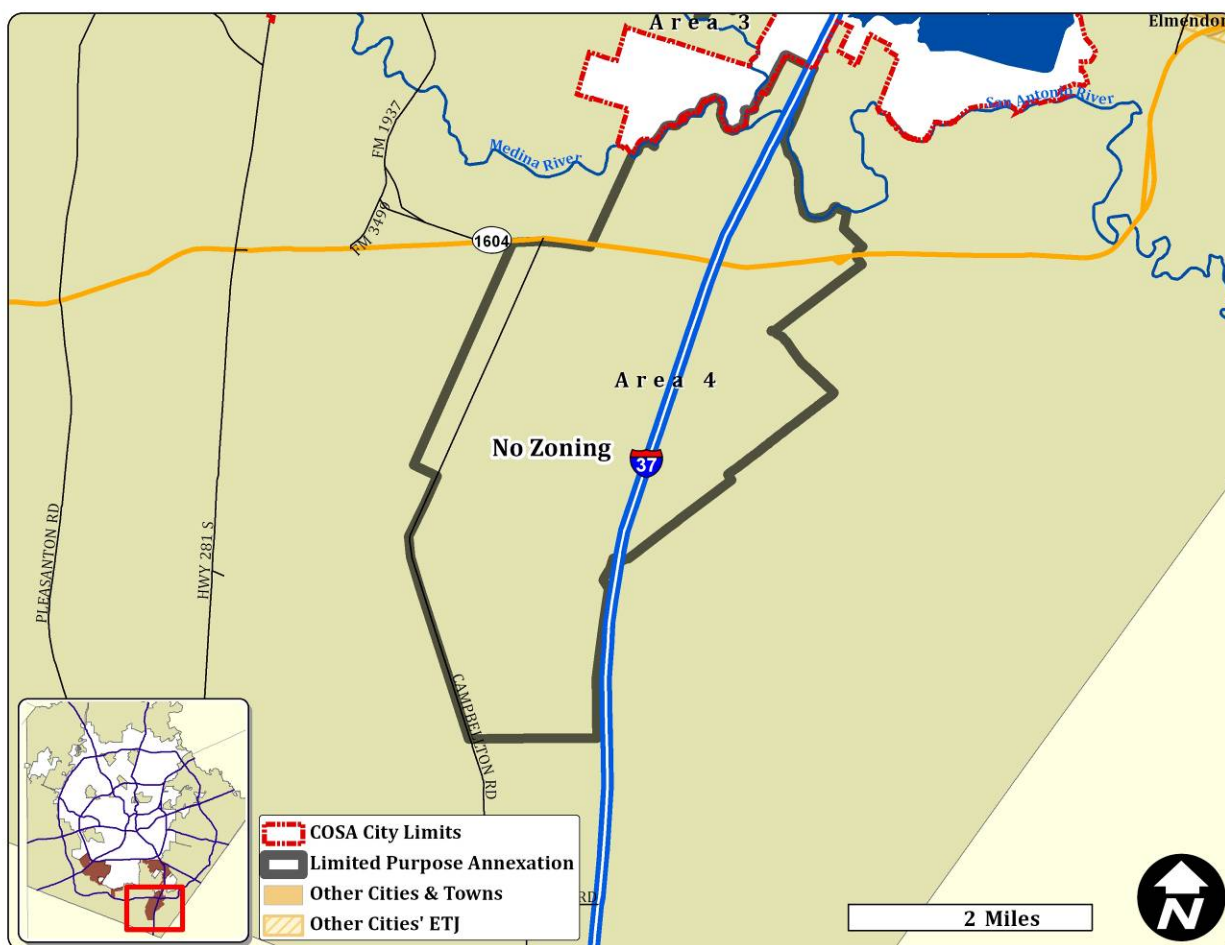


River. The modern town of Losoya got its start after the Civil War. Buena Vista, first settled around 1900, once had a school, a store, and a number of homes.

### Proposed Zoning for the Area

This section identifies the proposed zoning of the area upon annexation and informs the public that any comments regarding the proposed zoning will be considered at the public hearings for the proposed limited-purpose annexation.

With the proposed dissolution of CSMA, oversight of planning and zoning within CSMA areas would cease. Limited purpose annexation will enable the City to continue to extend land use regulation and zoning within CSMA and apply zoning in non-CSMA areas.



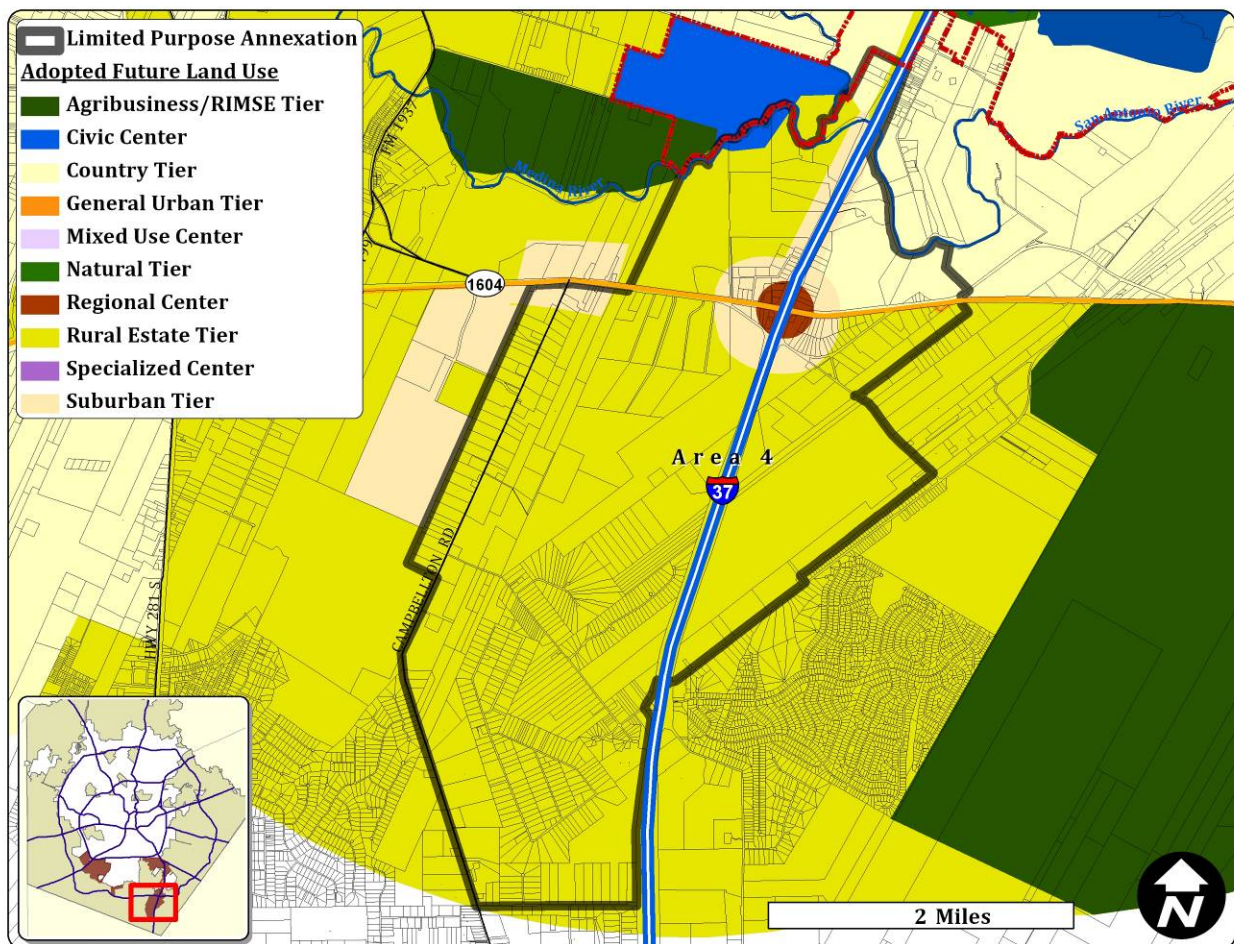
**Map 19: Area 4 - Current Zoning**

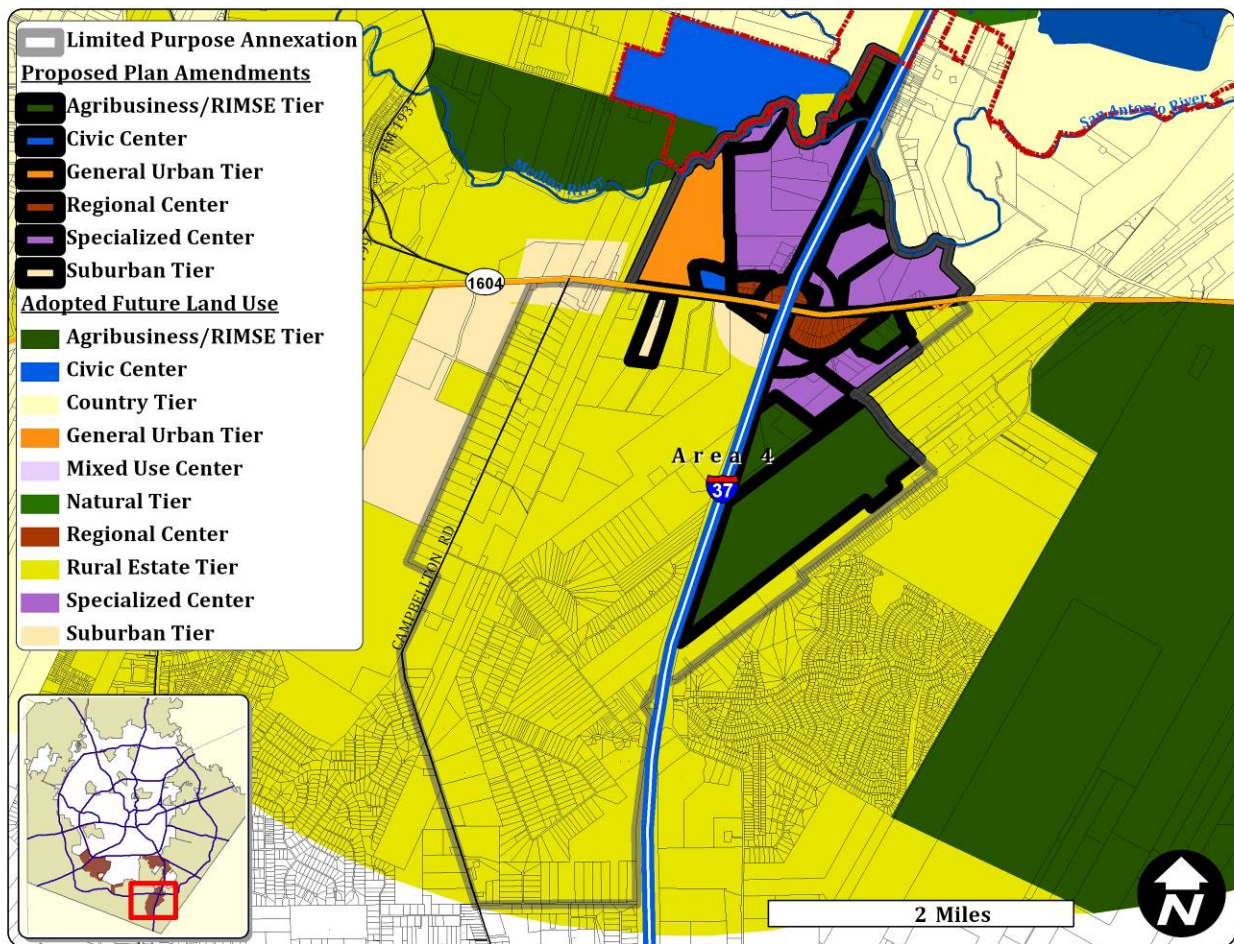
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area based on the amended plan. Zoning regulations and development codes could control the installation of new signs, billboards, and utilities; eliminate visual clutter; protect scenic views and preserve historic sites. The Zoning Commission will conduct at least one public hearing and make a recommendation to the City Council regarding the proposed rezoning. The City Council will conduct a public hearing and adopt any changes to the zoning map. **See the Regulatory Plan (Section C) for the Planning Framework for the study areas.**

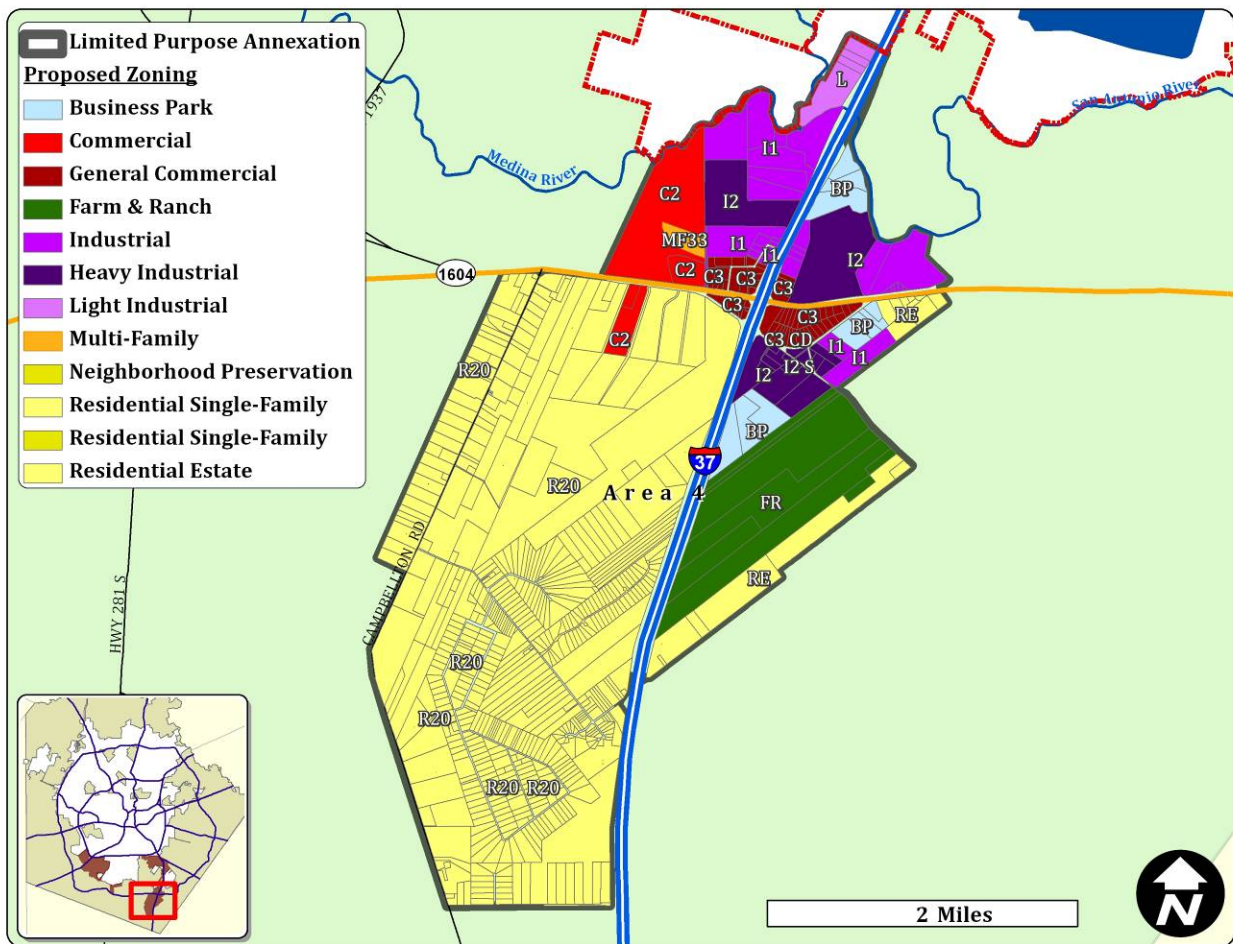
Factors that will be used to recommend appropriate zoning include consideration of the public health, safety, and general welfare and protection of historical and cultural areas. The City shall consider the size, shape and characteristics of parcels and their suitability for different types of development intensity. The compatibility of adjacent land uses with those in and around the study area will be considered. Zoning guidelines can be modified to encourage commercial and other economic development.





Map 21: Area 4 - Proposed Land Use Plan





Map 22: Area 4 - Proposed Zoning

## **C. Regulatory Plan**

## C. REGULATORY PLAN

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This section constitutes the regulatory plan, prepared in accordance with §43.123 (d) of the Local Government Code. The regulatory plan identifies:

- Land use and Development regulations
- Future Full Purpose Annexation

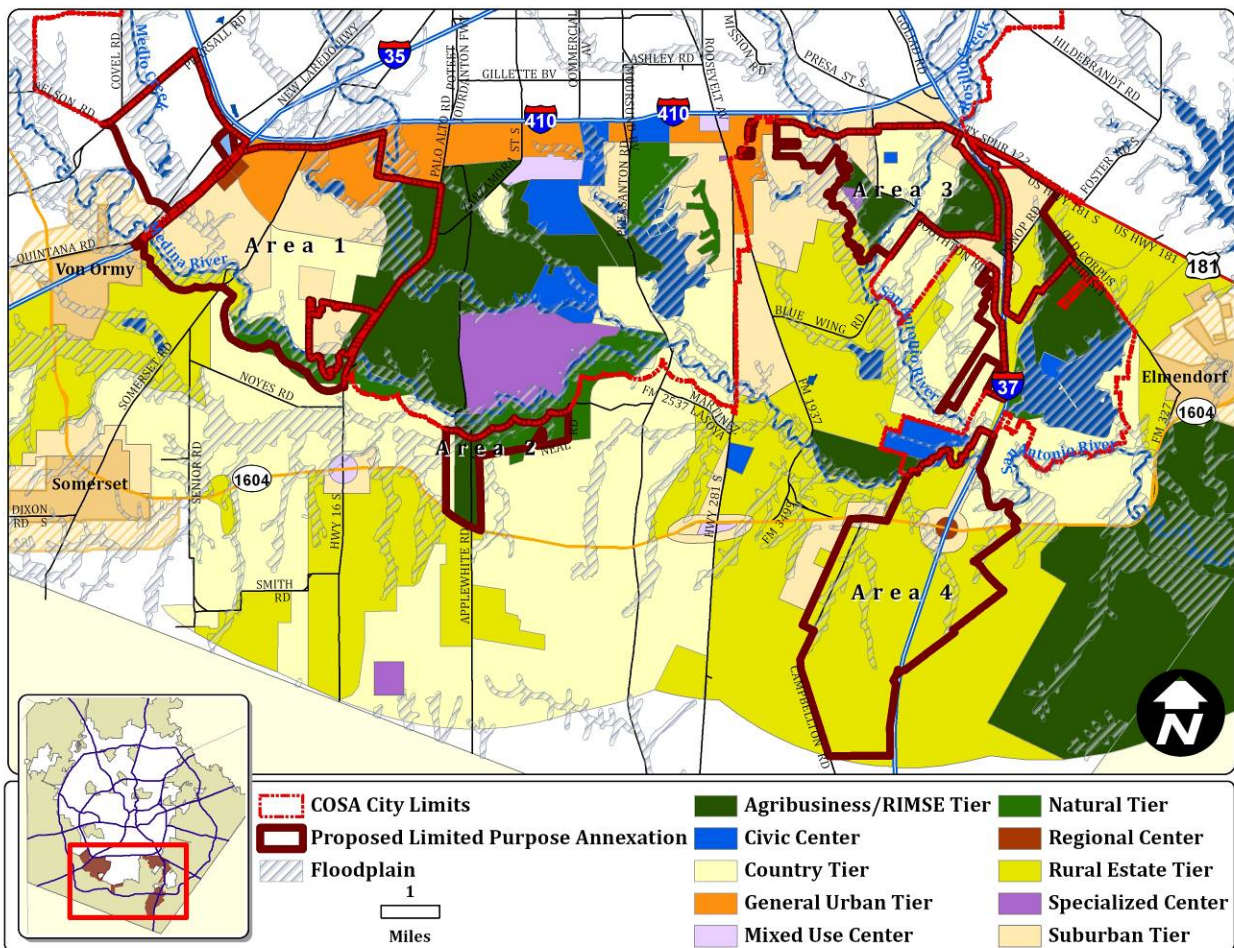
### **Land Use**

#### *Existing Land Use*

The current land uses in the study areas are generally rural, farm, ranch, and agricultural with some limited industrial uses. There currently exists sporadic commercial uses along the major arterial roadways. A commercial use and strip center retail use has been erected along Southwest Loop 410 at the northern edge of Areas 1 and 2. An energy corridor is also developing along IH-37, which is a gateway to the Eagle/Ford shale formation to the south and southwest of Bexar County. Finally, along the Medina River at the southern end of City South there is a conservation and preservation area.

#### *Current Sector Plan Land Use Classifications*

The study areas are subject to the United Southwest Communities Plan, the Heritage South Sector and the West/Southwest Sector Plans. The Sector plans are long-range guides for the future growth, conservation and redevelopment of all the physical aspect of the City on a regional level. The Sector Plan currently provides the overall vision and policy guidance for regulations in this area, including zoning policy.



**Map 23: Heritage South Sector Land Use Plan**

### *Sector Plan Tiers & Centers*

The Sector Plan future land use plans were prepared utilizing the concept of Centers and Tiers which allow for a range of compatible residential and non-residential uses within each Center and Tier. The land use classifications are referred to as “Tiers” or “Centers” to represent the Sector Plan’s goals. The Sector Plan establishes “Tiers” that range in density from “Urban” to “Natural Tiers”. “Centers” were established in order to locate preferred areas for coordinated investment. These included new Mixed-Use and Regional Centers as well as the incorporation of existing features. The “heavy industrial” land use classification is referred to in the Sector Plan as a “Specialized Center” area. The Civic Center land use classification was expanded to incorporate governmental and quasi-governmental uses, such as the new Texas A&M University - San Antonio campus.

The Major Thoroughfare Plan (MTP) provides policy guidance regarding the location and types of major roadways to be constructed in the future. Currently, the MTP is used to locate major and minor nodes for commercial development and regulate the location of densities in regards to the zoning.

Certain areas, located along IH-37 and Southton Road, have been designated in the Agribusiness Tier. The highest density residential and commercial uses including Regional



Centers, Mixed Use Center and General Urban Tiers can be found along highways, major roadways and nodes located at several major intersections. Lower density residential uses are designated in the Country and Rural Estate Tiers near natural areas.

### ***The Planning and Zoning Framework for Properties outside of the Jurisdiction of the CSMA***

Pursuant to the spirit of the recommendations in Strategy #6 of the *Effectiveness Study and Economic Strategic Plan for the City South Management Authority*, the City has identified strategically situated economic development opportunity sites that should be studied and recommended for limited purpose annexation. The City has identified areas that enjoy similar potential for economic development and are adjacent to the “5 Most Marketable Nodes” and are logical extensions thereof. Thus, for these properties, the City is proposing annexation for limited purposes as well. These properties will be reviewed and analyzed using an economic development perspective, the effectiveness study and best planning practices in order to develop realistic and acceptable development scenarios. The City will initiate implementation of the potential scenarios via an update to the applicable future land use plan and will rezone affected properties to a zoning district that is in accordance with said plan in concert with the adoption of the Limited Purpose Annexation ordinance.

### ***The Planning and Zoning Framework for Properties Currently within the Jurisdiction of the CSMA***

The City has identified representatives from key organizations and bodies to assist with the review of the existing zoning and future land use plan (Effectiveness Study Implementation Task Force). A representative from:

1. City South Management Authority Board / resident
2. City Planning Commission
3. City Zoning Commission
4. Texas A&M – San Antonio
5. Real Estate Council; and,
6. Policy Administrator of the City of San Antonio’s Development Services Department

Those areas that are proposed to be annexed via limited purposes will be reviewed and analyzed using an economic development perspective, as recommended in the effectiveness study and best planning practices. The City is adopting zoning in the subject area in accordance with the comprehensive plan that was adopted by the City Council pursuant to ordinance number 2010-09-160811 (and as amended) and in accordance with the provisions of the Defense Adjustment Management Authority, Texas Local Government Code, Subchapter O. Zoning in the subject area shall be the same as previously adopted by the CSMA. Said zoning is depicted in the *Current Zoning* maps, located in the Planning Study section of this document, for limited purpose annexation Study Area #1 - #4.

The City will initiate the rezoning via an update to the future land use plan 90 days following the effective date of the limited purpose annexation and will rezone affected properties to a zoning district that is in accordance with said plan, as required in the Local Government Code. The land use plan updates and zoning changes will be informed by

input from the aforementioned implementation task force. Further, the task force will review the development standards in the flex-zoning districts and make recommendations for Unified Development Code amendments in order to improve the effectiveness of these zoning districts.

### ***Development Regulations Following Limited Purpose Annexation***

The following planning, zoning, health and safety ordinances will be enforced in the areas upon completion of annexation for limited purposes:

- Building Code (Chapter 6 of the Municipal Code)
- Electricity Code (Chapter 10 of the Municipal Code)
- Fire Prevention Code (Articles III and IV of Chapter 11 of the Municipal Code)
- Solid Waste Code, specifically pertaining to Lot Clearance (Article V of Chapter 14 of the Municipal Code)
- Licenses and Business Regulations specifically pertaining to Salvage Yards and Auto Dismantlers (Article VII of Chapter 16 of the Municipal Code)
- Plumbing Code (Chapter 24 of the Municipal Code)
- Signs and Billboards (Chapter 28 of the Municipal Code)
- Water and Sewers (Chapter 34 of the Municipal Code)
- Unified Development Code (Chapter 35 of the Municipal Code), including, but not limited to, zoning regulations and all subsequent amendments, replacement ordinances, and related technical and illustrative manuals to these ordinances.

Notwithstanding the Municipal Code references above, the following exceptions shall be established if this area is annexed for limited purposes:

- Property owners will be allowed to erect, maintain, and repair traditional barbed wire or electric fences used in conjunction with agricultural, farming or ranching operations.
- Limited sales and possession of fireworks is permitted in areas annexed for limited purposes in accordance with Ordinance No. 97683.
- Fees will be waived for property owners seeking to register existing uses as non-conforming rights.

### ***Future Full Purpose Annexation***

The areas subject to this Limited Purpose Annexation will be included within the City's full purpose jurisdiction within three (3) years of the effective date of the limited purpose annexation ordinance unless the date for full purpose annexation is postponed by written agreement between the City and a majority of the affected landowners.

### ***Planning Milestones***

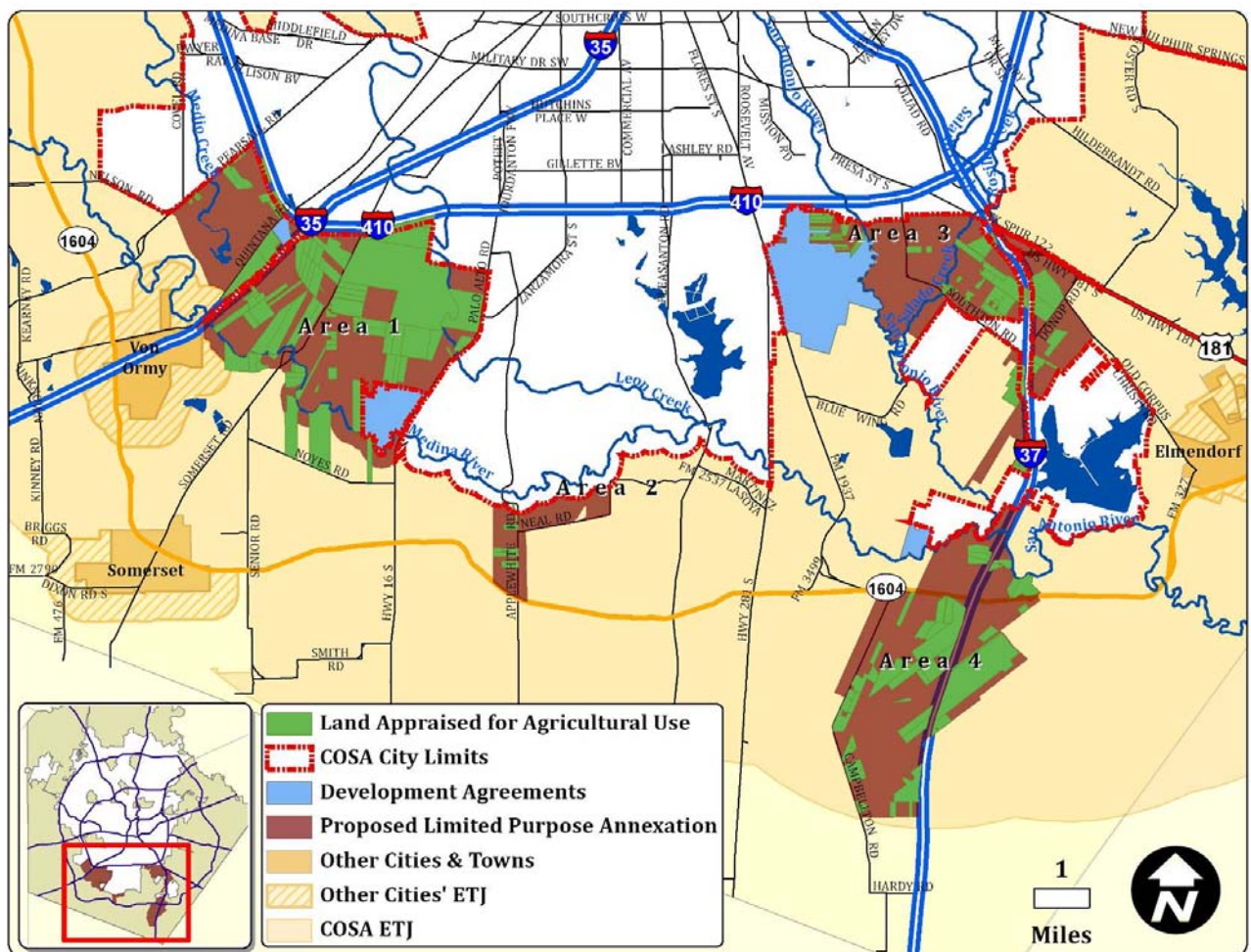
State law requires specific steps be completed by the City for each of the three years after an area is annexed for limited purposes leading toward the full-purpose annexation of the areas.

- By the end of the first year, the City must prepare a land use and intensity plan to be a basis for services and capital improvement project (CIP) planning.

- By the end of the second year, the City must include the area in the long-range financial forecast and in the City's program to identify future CIP projects.
- By the end of the third year, the City must include CIP projects intended to serve the area in the adopted CIP program and identify potential sources of funding.

### ***Requirement to Offer a Development Agreement***

Pursuant to § 43.035 of the Local Government Code, the City of San Antonio is obligated to offer a Development Agreement to properties appraised for ad valorem tax purposes as agricultural, wildlife management, or timber management. The properties that will be offered a Development Agreement are depicted below.



***Disclaimers***

The City has made a good-faith effort to provide accurate references to the Municipal Code sections in which the ordinances described above are codified. In the event that a portion of the Municipal Code listed above contains a reference to a portion of the Municipal Code or another City Ordinance that is not listed above then, to the extent necessary to either provide meaning to or to carry out the meaning of the listed portions, the referenced portions of the Local Government Code, Municipal Code or other City Ordinances shall also apply. Any failure to list all relevant Municipal Code references is inadvertent and will not affect enforcement of the ordinances by the City. Further, any and all exhibits contained herein are intended for reference purposes only and shall not be construed to be final. All exhibits shall be deemed “final” upon adoption of this draft Limited Purpose Annexation proposal.

The adopted regulatory plan must be the same as the proposed regulatory plan unless the San Antonio City Council finds and states in the ordinance the reasons for adoption of a different regulatory plan. The City of San Antonio City Council, by ordinance, may change an adopted regulatory plan if, in the ordinance making the change, the City Council finds and states the reasons for the adoption of the change.

## *Excerpts from the Unified Development Code*

### **35-703 Newly Annexed Territory.**

Nonconforming rights may be granted to newly annexed areas in accordance with the following provisions and upon payment of the fees specified in Appendix "C". All applications for nonconforming rights must be filed within sixty (60) days of the effective date of annexation.

- (a) **Incomplete construction.** Construction may be completed on any structure legally under construction upon annexation provided:
- (1) The owner or his designated representative applies to the director of in Appendix "C" for a permit to authorize further work on the structure stating the proposed use of the structure and attaching thereto the plans and specifications relating to the construction; and
  - (2) The construction is completed within two (2) years of the effective date of annexation. Action on the permits shall be taken by the director of development services within fifteen (15) days from the date of application. The director shall deny the permit if he finds that the construction will not meet the requirements of the building, fire protection, or minimum housing codes and other applicable ordinances and codes of the city. If the permit is refused, the construction work shall cease until necessary corrections are made.
- (b) **Proposed construction.** Proposed construction may be completed upon a finding by the zoning commission that sufficient evidence exists that planning for the proposed use was in progress prior to annexation, as prescribed by Appendix "B" to this chapter. Within fifteen (15) days from the date of such filing, the director shall present the evidence to the zoning commission for their determination, unless the applicant agrees to a longer period. The applicant shall have twelve (12) months from the date of the zoning commission's favorable determination to secure all building permits. After that time, the nonconforming rights shall expire.
- (c) **Master Development plans.** Newly annexed areas may be entitled to nonconforming rights for a master development plan upon favorable consideration by the zoning commission. The property owner must submit an application as prescribed by Appendix "B" of this chapter. The zoning commission shall conduct a public hearing on the nonconforming rights master development plan after giving notice to the owners of property within two hundred (200) feet in the manner provided in section 35-403 for a rezoning. The purpose of the public hearing shall be to ascertain (1) the extent to which development of the master development plan had progressed prior to annexation and (2) the extent to which the master plan complies with the policies and objectives of the city's Land Use Plan. If the zoning commission approves the master development plan, construction in conformance with the plan must begin within one (1) year, with all portions of the plan either completed or under construction within five (5) years from the date of annexation. After that time, the nonconforming rights shall expire.

*(Ord. No. 98697 §§ 4 and 6)(Ord. No. 100126)*